密勒氏評論報

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Formerly Millard's Review

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J. B. POWELL, Editor and Publisher
HOLLINGTON K. TONG, Assistant Editor, Peking
MARGARET C. POWELL, Local Editor and Women's Interest
R. B. LIBBY, Financial Editor and Business Manager

CONTRIBUTING EDITORS

H. F. MACNAIR Editor, Current History Finance and Commerce
C. F. REMER, (America) PETER S JOWE,
HIN WONG, (Canton) (Hankow)

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WASHINGTON BUREAU
J. J. Underwood—Correspondent
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WHEN CANTONESE SEE OLD SCORES WIPED OUT

HONGKONG has made peace with Canton. The manner in which Hongkong's governmental and financial officialdom received Dr. Sun Yat Sen, the Cantonese leader, when he went South recently to reassert his authority in Kwangtung and the Southwest Provinces and outline his next campaign against the North, is one of the most significant things occurring in South China affairs for some months. The first direct and tangible result of the treaty of peace, which the official reception given Dr. Sun in Hongkong amounts to, should be an announcement that there will be no anti-British strike started in or by Canton this season. If this result is not accomplished the treaty will be as dead as the Versailles treaty in Europe. Hongkong faced about in its attitude toward Dr. Sun so suddenly that it was almost impossible to realize what had happened. This amounts to an admission by the Hongkong government and Hongkong interests that the old policy, such as was followed in connection with the shipping strike just one year ago, will not work, that Canton and the Cantonese must be met on a different plane. British interests have felt the ill effects of unfriendly sentiment engendered among the Cantonese by the old policy. Just how far Hongkong will go to make amends remains to be seen but hardly anyone would have thought a month ago that as much hatchet burying as has been done recently was within the realm of probability.

DR. Sun is reported to have remarked once that he could tie up the Hongkong tramways with a strike any day he wished. It is doubtful whether he ever was so indiscreet as to make such a statement but he probably could He did once. Irrespective of what was the origin of the strike that tied up Hongkong industrially and commercially a year ago, it was conducted as a conflict between Hongkong and Canton, which is to say between the British colonial government and the Chinese sectional government of which Dr. Sun was at that time head and master. The Hongkong government made some serious strategical errors, bungled the thing all along the line and then gave in after fighting the Cantonese just long enough to arouse them thoroughly and give them an opportunity to capitalize their victory all the more when it did come. Then when Dr. Sun and General Chen Chiung-ming broke and the latter was on the top the Sun faction proclaimed far and wide that the Chen government was a Hongkong institution. Financial affairs figured conspicuously in this line of propaganda. The venom of the remarks

Hongkong was passing out for the enlightenment of the world at large as to the precise status of Dr. Sun Yat Sen, everybody favorably connected with him and everything inspired by him was surpassed only by that characteristic of Cantonese references to Hongkong's policy. It ever was considered a "mean gibe" for a Hongkong supporter to refer to the fact that Dr. Sun was indebted two or three times to the British for his safety when safety counted most.

NOW that very fact will be paraded about as evidence of the "brotherly love" that just must express itself in such instances as Dr. Sun's visits to Hongkong, such as the one he made as he was on his way to Canton to "restore order and reestablish a stable government." One could hardly expect such a reconciliation as this without a mutual benefit clause to the agreement. Outwardly, at least, Canton has won a decided victory, but the real test comes in the answer to the question of what Dr. Sun is paying for dinners in the government house and teas with financial leaders of Hongkong. He well can afford at the present to agree to forego the opportunity of observing the anniversary of the shipping strike with a second act of the same drama, because the government of which he is resuming directorship is not advantageously situated just now for financing and engineering a laborers' fight and too some of the best talent in strike management is occupied in regions further north—up Hankow way. Dr. Sun is not much of a hand to harbor grudges, especially when by his failure to do so he can benefit himself and his cause politically. He would be willing to forget for the time being some of the scores he has marked up against Hongkong and to call a truce in Canton's campaign to break Hongkong's strangle hold on the trade of South China if by so doing he could bring nearer the realization his dreams of regenerating China. Undoubtedly some will say that Dr. Sun is hedging and compromising when he sits down to play with Hongkong officialdom, but generally his being invited to participate in such a game will strengthen him because he will be credited with having brought Hongkong to her knees. It was especially interesting to note that the news from Hongkong regarding the hand-picked reception committee which handed to Dr. Sun the keys of the city also told of a dinner given by members of the staff of the Hongkong and Shanghai bank and if we remember correctly there was slight mention of a possible loan to Dr. Sun by "a wealthy Chinese merchant of Hongkong." At any rate the hatchet has been buried and the new friendship which has sprung up between Dr. Sun and Hongkong is well expressed in the following words of Dr. Sun taken from his address to the students of Hongkong University during his brief stay in the Colony on his way to Canton. "My fellow students; you and I have studied in this English Colony and in an English University and we must learn by English examples. We must carry this English example of good government to every part of China."

THE BRITISH VIEWPOINT ON EXTRATERRITORIALITY

MR. W. B. Kennett, solicitor for the British Cigarette Company who acted as chairman of the Conference in Committee at the meeting of the Associated British Chambers of Commerce in China in Shanghai last week gave the following excellent summary of the British viewpoint on the abolition of extraterritoriality at the closing session of the conference on Saturday, February 24:

"A perusal of the speeches by the Chinese representatives at the Paris and Washington Conferences would lead one to suppose that foreign powers have been withholding from China something to which she was entitled, which would be of great benefit to her people. Would the great mass of Chinese people benefit by an immediate abolition of extraterritoriality? Surely not. Foreigners ask, as a preliminary to the giving up of extraterritorial rights, that a proper system of law should be established, and that the law should be competently and fairly administered in local as well as central Courts. They ask that the public services should be properly administered—that illegal and irregular taxation should be abolished, and that the predominance of the military element, often of a very irregular and undisciplined nature, should be put an end to.

"As to the question of satisfactory laws, extraterritoriality is sometimes spoken of as if it were merely a question of a foreigner being tried for a criminal offence in a Chinese Court. That is only one consideration. At least equally important is the necessity for laws and public departments suitable for a community in which business on a large scale is carried on. Consider for a moment the question of Company Laws in relation to the commercial enterprises represented by the magnificent range of buildings now in existence and in course of erection on The Bund in Shanghai. Most of those buildings are the property of limited liability companies existing under British or other foreign Company Law. That law represents a fully developed system which has grown up for the protection of shareholders and the public. Have Chinese Company Law and the public offices established to administer it reached such a stage of development that they afford an efficient system for the control of public limited liability companies having enormous capital and doing business on a large scale? Up to the present there is not even provision for the proper registration and protection of Trade Marks.

"There are many other questions of vital importance to be dealt with before extraterritorial rights could safely be relinquished, in view of the enormous foreign business interests now existing in China. But in asking for such a development of China's laws and administration as will properly protect those interests, and such a development of government, municipal, police and sanitary administration as will safeguard the lives, liberty, health, and property of foreigners, we are not asking anything which concerns us alone. Surely the Chinese will benefit by those reforms, and surely they will suffer if, by the premature abolition of extraterritoriality, that great influence toward reform is removed. Probably no foreigner in China thinks that extraterritoriality could be abolished at the present time. There are however, two schools of thought. The one thinks that no question relating to extraterritoriality should be considered until China herself has reformed her law and administration on proper lines. The other school thinks that some effort should be made to help China to take progressive steps toward the desired end because the longer reform is delayed and the slower its progress the more serious will become the difficulties and complications inherent in the system of extraterritoriality when applied to a country in which commerce on a large scale is being carried on. I think that most of us here are of the opinion that help should be forthcoming whenever it is acceptable to the Chinese. That is the spirit of the Treaty of 1902, which expressly refers to the willingness of Great Britain to help China reform her judicial system and administration, and I think that it is also the spirit of this Conference."

IS CHINESE BUSINESS MORALITY DETERIORATING?

AT the meeting of the shareholders of the Ewo Cotton Mills, Ltd., held at the office of the managers, Jardine, Matheson and Company of Shanghai on February 16, the chairman Mr. John Johnstone many years experienced in British trade in China referred to Chinese business morality, using in part the following words as reported by the *North China Daily News:*

"I am endeavouring to call the earnest attention of all business men, both foreign and Chinese, to a state of affairs which involves the credit of the merchant classes, and only embraces cotton as one of the side issues in a very much larger whole.

"There will be few persons amongst the foreign business community to dispute the fact, that during the last few years it has been the bitter experience of most of us engaged in various branches of China trade to note a departure from the old times when "A Chinaman's word" was sufficiently good on which to conclude purchase or sale of goods running into lakhs. Whereas nowadays I regret to say, one only hears complaints of the utter lack of business morality amongst a large section of the Chinese trading community and their complete *disregard for the terms of a contract.*

"This state of affairs so far as it affects the position of "millowners" is borne out to-day in the following manner.

"Large sales of local cotton were made during October/November at prices between Tls. 27½ and Tls. 30 per picul, but when the market advanced during December in sympathy with the rise in American and Indian varieties, the greater number of the sellers firmly declined to honour their contracts.

"It was not because the cotton was not available, but simply that they ignored their contract obligations in order to take advantage of the improved market rates. In some instances where attempts at deliveries were made, there occurred the most flagrant adulteration and inferior grades were and are still being tendered.

"All millowners have suffered at the hands of these defaulters, some more severely than others, possibly the Chinese millowners most of all, and the moment has arrived when the Chinese leaders in the cotton industry, together with the Chinese Millowners Association and the Chinese General Chamber of Commerce should take the matter firmly in hand and evolve some means of putting a stop to these pernicious malpractices which, while not only a very serious handicap to a growing trade, are a reflexion on Chinese business morals, reverse from pleasing, to say the very least of it.

"We all realize that the sound old Chinese traders are not at fault, in fact they are the principal sufferers in the matter of this general repudiation of cotton contracts, but there appears of late years to have been an invasion into local business circles of a body of unprincipled gamblers who while quite willing to complete any venture that goes profitably for them, repudiate their contracts or disappear entirely if the reverse be the case.

"We all know, gentlemen, that business can only flourish on the sound basis of straight dealing and integrity on both sides and I feel sure it is only necessary for me to remind men of such undoubted business acumen as our Chinese friends that this dangerous element, above referred to, must be eliminated or the whole trade of this community will be seriously compromised.

"To dishonour a signed contract simply because it does not suit your book is a very serious matter. Unfortunately this is what is happening daily in the cotton and a good many other lines of business to such an extent, that the Chinaman's "can do" is rapidly becoming worthless, and this, be it said, is brought about through the irresponsible acts of men of straw who exist on "Exchanges" to the detriment of legitimate trade.

"The position is very serious, gentlemen, and in these troublesome days—when government in this country is to all intents and purposes non-existent—and the credit of China is rapidly being destroyed through mismanagement in all directions, every endeavour should be made by the merchant classes, who have hitherto enjoyed a reputation for fair dealing second to none, to uphold and guard this reputation, thereby setting an example to those who by their incompetence and self-interestedness are rapidly bringing discredit on the people of this country as a whole.

FEW persons will question Mr. Johnstone's statements as quoted above, owing to his high standing and long experience in British trade in China, but on the other hand we wonder whether they are peculiar to China. When the bottom dropped out of the world's markets after the war boom of 1920-21, there was a general wail about deteriorated commercial morality all over the world. American merchants were damning the Japanese and South American dealers for cancelling contracts; British merchants were damning New York dealers for refusing to accept cargoes of materials contracted at high prices and so on down the line. The final result was the elimination of a host of new dealers who might be placed under the "fly-by-night" classification for the reason that they got into trade when it was possible for those with small capital to go into speculative business. Many of these firms repudiated their contracts because they had no other choice—they simply went out of business. Exactly the same thing has happened in China except that there are other influences, governmental and otherwise at work out here which are not present elsewhere. The trade of China is in a period of transition. The old style Chinese merchant "whose word was as good as his bond," is passing and new traders are coming in. Many of these are either inexperienced or are pure gamblers and speculators. A failure with them means no more than a "trip to Ningpo" or a change of the signboard in front of the shop. The transition which is taking place in the trade of China is apparent on every side. A few years ago the average foreigner would have questioned the ability of Chinese to operate modern banks, but they are operating them profitably today to the number of more than a dozen in Shanghai alone and some have branches in foreign countries. The same thing is happening in cotton manufacturing, flour milling and dozens of other lines, even in the highly technical and speculative field of foreign trading. Every success is naturally accompanied by a certain number of failures. New lines of endeavor attract those who are not equipped either educationally or morally, but out of it all is developing a modern viewpoint and spirit for better things in China in both business and in government. It is no more just to condemn modern Chinese businessmen wholesale than it is to condemn Japanese, American or British business men. The last paragraph of Mr. Johnstone's remarks above are especially significant where he refers to the credit or lack of credit of the Chinese government. The decay of the Central government, undoubtedly has had much to do with the deterioration of commercial morality in China. The corruption which has been present in Peking officialdom for so many years is now finding expression throughout the whole fabric of the trade of the country, according to many observers. When the Chinese people observe their officials retiring from office with their ill-gotten gains to live in opulence and apparent respectability in the foreign concessions, this naturally has a demoralizing effect upon the whole society.

THE JAPANESE WITHDRAWAL FROM SHANTUNG

SUNSET Magazine, published in San Francisco, in its February issue referred as follows to the Japanese withdrawal from Shantung and Vladivostok: "Let's give the devil his due. Japan has withdrawn from Siberia, given up Vladivostok and moved out of Shantung bag and baggage. What the government at Tokyo promised to do, it has done. And until there is proof that Japan continues to stir

up faction against faction in China and Siberia, that Japanese intrigue is keeping these nations in turmoil, until such proof is forthcoming Japan is entitled to the benefit of the doubt. Japan's withdrawal from the occupied territory indicates that affairs in the Far East are on the mend. We would snore with greater abandon if the same remark were applicable to conditions in Europe."

Good Citizenship in Shanghai

Contributed

INTEREST and participation are the keynotes of good citizenship and good government. The delegation to others or the absence of interest and participation in government retards the progress, makes the government autocratic, and at the end destroys the rights and privileges of the people.

We foreigners in Shanghai, residing far from our own governments, living under such unusual circumstances, often forget that the duty of citizenship is as important here in a local sense as it is in our own community in our respective countries. We foreigners in no sense lose the obligation which we owe to our respective governments, but we assume by our residence in this city a more immediate responsibility than that which is due to our own government. That local responsibility should not conflict with our loyalty and patriotism to our own government, but on the other hand we should recognize the importance of our civic duties in Shanghai. We can give no keener expression of this duty than an intelligent interest and participation in the government, growth and development of the City of Shanghai.

Shanghai has grown so large that there should be a united foreign and Chinese co-operation toward the development of the city, and Chinese suspicion of foreign suggestion should be dissipated by the full realization that all improvements of the Port are blessings that will be participated in by all. We must think in a larger way of the greater city of Shanghai which embraces all political divisions, and, unless we do, this great port will never be developed to the extent that all well-wishers of China desire. We must think of this city as the premier port of the Far East, as the metropolis which is coming to be the commercial center of China and is the gateway for the industrial development of the whole country. This city, in the past decade, has grown from unimproved mud flats into a modern business city. For its future one can see no limitations except those which would naturally come through the failure of the foreigner and the Chinese to appreciate the importance of civic development.

Perhaps no contribution that the foreigner has made to the Chinese people will be of greater value to them in their development than is the City of Shanghai.

Shanghai is today handicapped and fettered by unnatural political divisions. Its growth is restricted by boundaries; its future development is hampered by narrowness. It is the civic duty of every person in Shanghai, Chinese and foreigner, to devote himself to the unification of the efforts of each division and to work for one great city. It is to the interest of the Chinese to admit their limitations and to cooperate with the foreigner, and to invite him—the Westerner—who is better trained in municipal government to participate in the control and development of the greater Shanghai, irrespective of whether the particular development is contained in the area which is now defined as one of the foreign settlements.

I do not believe that one problem confronts us in Shanghai today which equals this in importance and in the opportunity which it offers to residents of this city to do genuine constructive work, perpetual in its effects, and to discharge to that extent the obligations of good citizenship. The great port of Shanghai can only be developed by the cooperation, without suspicion of ulterior motives, of all nationalities, and that on broad lines which do not limit the influence of the foreigner or restrict the capital of the Chinese to certain defined areas.

1923 or 1939---Getting Japan to Withdraw from Manchuria

BY GROVER CLARK

SHOULD China press for the immediate withdrawal of Japan from Port Arthur, Dairen and the rest of the Liaotung Peninsula, following the expiration on March 27, next of the twenty-five years for which the original lease of this territory to a foreign Power was given, or should she wait until some more opportune time in the future to make a real effort to get Japan out, doing only what is necessary now to leave the way open for raising the question later?

The Chinese government—for the moment, the authorities at Peking are the Chinese government in this matter—will be forced to answer this question soon. And the answer which is given will determine to a very large extent whether or not Japan will stay in the Liaotung Peninsula and the rest of Manchuria until the end of the twentieth century, or whether China will regain real control of this territory within a couple of decades. For that is the alternative; China at the moment has no chance whatever of making good on a demand for Japan's immediate withdrawal.

I. Early Treaty Provisions—

The South Manchurian Railway.

A review of the exact treaty provisions involved will help us to understand just what the Japanese and Chinese rights are. Note: All the quotations of treaties are from MacMurray's "Treaties and Agreements with and Concerning China."

In 1896 (September 8) a Sino-Russian agreement was signed providing for the construction and operation of the Chinese Eastern Railway. Russia was to build the line. It was to go to China without payment of any kind at the end of eighty years, but at the end of thirty-six years China might buy it back from the Russians. The exact provisions of the agreement are:

> "Article 12.....The Chinese government will in no case be responsible for any deficit whatsoever of the Company, during the time allotted for the work and thereafter for a further eighty years from the day on which the line is finished and traffic is in operation. This period having elapsed, the line, with all its appurtenances, will pass free of charge to the Chinese government.
>
> "At the expiration of thirty-six years from the day on which the entire line is finished and traffic is in operation, the Chinese government will have the right to buy back this line upon repaying in full all the capital involved, as well as all the debts contracted for this line, plus accrued interest."

Article 3 provided that work must be commenced within twelve months of the sanctioning of the contract and that the Company (which Russia was to organize to build the line) "must so carry it on that the whole line will be finished within a period of six years from the day on which the route of the line is definitely established and the lands necessary therefor are placed at the disposal of the Company ?"

On March 27, 1898, the Liaotung Peninsula lease was signed (to be referred to more fully later) Article VIII of which contained the following clauses:

> "The Chinese government agrees that the concessions granted by it in 1896 to the Chinese Eastern Railway

Company, from the date of the signature of the present agreement shall be extended to the connecting branch which is to be built from one of the stations of the main line to Ta-lien-wan, and also, if deemed necessary, from the same main line to another more convenient point on the littoral of the Liaotung Peninsula between the town of In-tzu and the estuary of the River Yalu. All the stipulations of the contract concluded by the Chinese government with the Russo-Chinese Bank on August 27 (September 8) 1896, shall apply scrupulously to these supplementary branches."

Following this preliminary general provision, a specific agreement for the building of the "Southern Manchurian Branch of the Chinese Eastern Railway" was signed on July 6, 1898. The preamble to this agreement states that

"in accordance with the permission given in the XXII Year of Kuanghsu (1896) to the Chinese Eastern Railway Company to construct certain railways, a branch line might be built and operated, which should begin at a station, to be selected on the main line of the Chinese Eastern Railway, and extend to the sea-ports, Dalny and Port Arthur in the Liaotung Peninsula, . . ."

Article I of this agreement declares that

"This branch of the Chinese Eastern Railway, extending to the sea-ports of Port Arthur and Dalny, shall be known as the Southern Manchurian Branch of the Chinese Eastern Railway."

This was the origin of the term "South Manchurian Railway," meaning the line between Changchun and the two ports.

Thus, in its origin, the South Manchurian Railway was an integral part of the Chinese Eastern Railway, and the provisions in the 1896 agreement for the construction of the latter line, whereby China might buy the line at the end of thirty-six years or get it back free at the end of eighty, specifically were stated to hold good for the branch of the Chinese Eastern Railway into the Liaotung peninsula.

These periods also would be counted, for this South Manchurian Railway, from the same date as for the Chinese Eastern Railway itself—i. e. from the "day on which the line is finished and traffic is in operation?" This day was officially declared to be July 3, 1903. If the extension of the time to ninety-nine years secured by Japan in 1915 be declared to be invalid, therefore, China will automatically get the South Manchurian Railway in 1983—or she will be entitled to buy it back "upon paying in full all the capital involved, as well as all the debts contracted for this line, plus accrued interest" in 1939. But *even if the 1915 treaties be repudiated, China will have no right to claim the return of the South Manchurian Railway before 1939*, whatever her claim may be to an earlier return of the Chinese Eastern Railway on account of special new arrangements with Russia, since the South Manchurian Railway was divorced from the parent line and given an entirely independent existence in the Russia-Japanese Peace treaty of 1905. And China herself agreed to this transfer of the Russian interests to Japan—as also the transfer of the Dairen and Port Arthur leases—on December 22, 1905.

II. Early Treaty Provisions—

The Antung Mukden Railway.

Then there is the Antung-Mukden Railway. This line was first laid down by Japan for military purposes during the Russo-Japapese war. After peace had been signed, Japan made an agreement (signed December 22, 1905) with China for the re-construction of this line for commercial purposes. The time during which Japan could control this line, was, however, definitely limited-

"Article VI. The term for which such right is conceded is fifteen years from the date of the completion of the improvements above provided for. The work of such improvements is to be completed within two years, exclusive of a period of twelve months during which it will have to be delayed owing to the necessity of using the existing line for the withdrawal of troops. The term of the concession above mentioned is therefore to expire in the 49th year of Kuang Hsu. At the expiration of that term, the said railway shall be sold to China at a price to be determined by appraisement of all its properties by a foreign expert who will be selected by both parties."

The "49th year of Kuang Hsu" would have corresponded to 1923. (Also see further discussion below).

III. Early Treaty Provisions—

The Liaotung Leases.

So much for the railways mentioned in the "Twenty-one Demand" treaties of 1915. What about the Liaotung Peninsula leases?

The original convention leasing this region to Russia was signed March 27, 1898.

Article I is frank, at least: "For the purpose of ensuring that the Russian naval forces shall possess an entirely secure base on the littoral of northern China: H. M. the Emperor of China agrees to place at the disposal of the Russian government, on lease, the Port Arthur (Liou Choun-kow) and Ta Lien-wan, together with the water areas contiguous to these ports. This act of lease, however, in no way violates the sovereign rights of H. M. the Emperor of China to the above-mentioned territory."

Article II provides for the boundaries: "The frontier of the territory leased on the above-specified basis, will extend northwards from the Bay of Ta Lien-wan for such distance as is necessary to secure the proper defence of this area on the land side." The precise boundaries were to be agreed on at St. Petersburg, and then, although "the sovereign rights of H. M. the Emperor of China" were not to be violated (see article I) "upon the determination of this line of demarcation, the Russian government will enter into complete and exclusive enjoyment of the whole area of the leased territory together with the water areas contiguous to it."

Russia thus got this territory for twenty-five years with what amounted to the right to keep it as long as she liked—or until a Chinese government would develop strong enough to refuse consent to a prolongation of the lease from time to time. The inside story of the presentation of Russia's demand for this lease and of the pressure put on China to secure her approval has not been published, but there is good ground for saying—as some of those in Peking at the time can testify—that Russia practically, if not technically, was as guilty of applying "duress" in 1898 as Japan was in 1915. On this score to be consistent, the Chinese Parliament should repudiate the original lease—not to mention many other concessions secured at the same time. But, as it happens no question of the validity of this 1898 lease has been raised.

That Russia had no intention of getting out at the end of twenty-five years was obvious from the money she put into the fortification of Port Arthur and the development of "Tai Lien-wan"—which the Russians called Dalny and the Japanese Dairen. One particularly definite proof of Russia's intention to stay was the inclusion as noted above in the very lease agreement itself of a provision for a branch of the Chinese Eastern Railway to these ports—a provision which gave Russia absolute control of the line for thirty-six years and the chance of control for eighty.

Peking, February 23, 1923.

(The second installment of Mr. Clark's discussion of the status of Manchuria will appear in next week's issue of the Review).

Harding, Ford and McAdoo Next U. S. Presidential Candidates?

Norman Hapgood, editor of *Hearsts' Magazine*, who has some little reputation as a political forecaster in the United States has selected Harding, Ford and McAdoo as the leading nominees for president in the next national election. Ford, according to Hapgood, may be the next nominee of the Democratic party, but failing this he may run as the head of a third-party ticket. Ford's strength is with the farmers and laboring men. Governor Al Smith of New York is another possibility on the Democratic ticket, but his nomination is unlikely for religious reasons, according to Hapgood. Senator Underwood of Alabama is another Democratic possibility, but is too conservative. At the head of the Democratic favorites is McAdoo, a son-in-law of former President Wilson and secretary of the Treasury in the Wilson administration.

President Harding in all probability will be the Republican nominee to succeed himself, but failing this the Republicans have two other possibilities in the present Cabinet in the persons of Hughes and Hoover. Senator Borah is the outstanding Republican in Washington according to the forecaster quoted above, but the Republicans are not likely to pick him because of his well-known independence of mind. The same writer states that Secretary Hughes has lost considerable of his popularity because of his failure to take a positive stand on the present French-German reparations crisis. This leaves Hoover as the most probable candidate in case Harding should fail to be a candidate to succeed himself.

Japanese and Hindus Ineligible for U. S. Citizenship

BY J. J. UNDERWOOD

NEITHER Japanese nor Hindus can be naturalized in the United States and therefore cannot become citizens. This question, which has long been a source of controversy has been definitely decided by the highest judicial tribunal in America, the Supreme Court of the United States. The decision, rendered in the case of the Japanese was handed down late last year and the one referring to the Hindu, a man named Bhagat Thind, was handed down on February 21 of this year. Since the latter decision in the case of the Hindu served to reaffirm the previous Supreme Court decision affecting the application of the Japanese for naturalization as American citizens, it is considered timely to discuss the question in fuller detail.

Although the court made no reference to the treaties existing between the United States and Japan, to the "gentleman's agreement," nor to other diplomatic documents, the decision is considered by official Washington to be fraught with significance. The attitude is one of watchful waiting for developments.

The case has long been pending in the Supreme Court. It was reached for argument during the limitation of arms conference, at which time, out of deference to the diplomats, and at the request of the Department of Justice, consideration of it was postponed.

When the case was reached at this term the court decided not to "make two bites of a cherry," and at the same time decided the case brought against the Secretary of State of Washington state by Takuji Yamashita and Charles Hio Kono. In the latter case the two Japanese had been naturalized by the superior court at Seattle, in 1904, two years before the present federal naturalization statute was enacted, and at a time when it was conceded that section 2169 of the Revised Statutes, which restricts naturalization to "free white persons" and those of African birth or descent, was in full force.

The naturalization of Yamashita and Kono later was questioned by a decision of the U. S. Circuit Court of Appeals, and when the alien leasing law was enacted by Washington state, the two appelants formed a land company with a view to acquiring leases to land in the Yakima Valley. The Washington secretary of state refused to approve the articles of incorporation and mandamus proceedings ensued.

In the case appealed from Hawaii, it was stated that the appelant, Ozawa, was born in one of the Northern provinces of Japan, and that he was not actually Japanese. The court held differently.

On this phase of the case the court stated that "there is not implied—either in the legislation or in the interpretation of it—any suggestion of individual unworthiness or racial inferiority. These considerations are in no manner involved." The court also referred to the "complimentary" terms used in describing in the papers presented to the court "the culture and enlightenment of the Japanese people." The court said that it had no reason to disagree with this estimate. In fact the intimation was that the court concurred in it. But such matters, Justice Sutherland stated, could not enter into the decision of the case. "We have no function in the matter," he said, "other than to ascertain the will of Congress and to declare it."

The two questions decided by the court in this decision, which, by the way, reaffirms the doctrine laid down in a long line of decisions from the lower courts, were whether the general naturalization act of June 29, 1906, was limited by the provisions of section 2169 of the Revised Statutes, authorizing the naturalization of "free white persons" and those of African birth and descent, and whether, if it was so limited, Japanese were eligible to naturalization. The court held that this section was in full force and effect and that, therefore, Japanese could not obtain citizenship in this country.

The court stated that "in all of the naturalization acts from 1790 to 1906, the privilege of naturalization was confined to white persons (with the addition in 1870 of those of African birth and descent), although the exact wording of the statutes was not always the same.

"If Congress in 1906, it added, "desired to alter a rule so well and so long established, it may be assumed that its purpose would have been definitely disclosed and its legislation to that end put in unmistakable terms."

Emphasizing the long-established policy of Congress to restrict naturalization under section 2169, the court found it "inconceivable that a rule in force from the beginning of the government, a part of our history as well as our law welded into the structure of our national policy by a century of legislative and administrative acts and judicial decisions, would have been depriven of its force in such a dubious and casual fashion."

Having sustained section 2169, the court then proceeded to discuss whether Japanese are "free white persons" within the meaning of the law. It was the intention of Congress, the court held, "to confer the privilege of citizenship upon that class of persons whom the fathers knew as white and to deny it to all who could not be so classified."

"It is not enough," the court added, "to say that the framers (of the law) did not have in mind the brown or yellow races of Asia. It is necessary to go farther and be able to say that had these particular races been suggested, the language of the act would have been so varied as to include them within its privileges. If it be assumed that the opinion of the framers was that the only persons who would fall outside the designation 'white' were negroes and Indians, this would go no farther than to demonstrate their lack of sufficient information to enable them to foresee precisely who would be excluded by that term in the subsequent administration of the statute."

Having ascertained who Congress intended to include, "it follows," the court added, "as a necessary corollary that all others are to be excluded."

While the recent decision of the Supreme Court holding that Japanese may not become naturalized citizens of the United States will be hailed with deep satisfaction on the Pacific Coast, it has not caused the slightest ripple of excitement in the Eastern and Central sections of the country.

Neither the State nor Commerce departments, nor for that matter any other of the executive branches of the government at Washington, has commented on the decision and the newspapers almost without exception entirely ignored the matter editorially. This lack of interest in the East and Central sections is due to two reasons: First, that the doctrine laid down in the decision is supported by a long string of judicial rulings; and second, the situation in Turkey and the British elections are occupying public attention, to say nothing of the usual line of other "stories" of more or less local interest that usually dominate the front pages of the newspapers.

While it is freely admitted that the decision is likely to be resented in Tokio, the Japanese seat of government, it is argued that all well-informed Japanese have neither hoped for nor expected anything else than that the ruling would definitely fix the "free white citizen" doctrine. The laws on which the decision is based are not new statutes. Since 1790 the lower courts of this country have upheld year in and year out such enactments.

The final and unappealable decision reflects the American wish and determination. America has come to a full realization of the trouble that is inherent in a mixed citizenship. It is not that Americans are more blood-proud than other nations. The Eurasian child born in America has not less caste or prestige than the Eurasian child born in Japan. But the horde of 18,000,000 Europeans that came to this country in the fifteen years preceding the outbreak of the European war proved beyond any controversy that all races are not readily assimilable, and one of the great problems of the country today is the Americanization of these people. New York today is almost like a foreign city and one walking along Broadway finds that foreign language is more prevalent than English. This was one of the reasons for the recent enactment of legislation restricting European immigration to this country. The great fault has been that in immigration matters America went in for quantity rather than quality production.

The amendment of 1870 which added to the "free white" provision the admission to citizenship of persons of African birth and descent has not been an unmixed blessing. It has been the cause of many race riots in the South, some of which have resulted in outrages which brought the blush of shame to the cheek of patriotic Americans in other parts of the country. Americans do not want to add to the already heavy load of trouble they are now carrying because of racial differences. In fact many of the leading thinkers have reached the conclusion that a plan much wiser than fighting the civil war would have been to buy up the slaves which were the cause of conflict and deport them from the country forever.

The Pacific Coast states, particularly California, are fighting always against an influx of Asiatic peoples. They do not want repeated in the West the race problem of the

South. For a long time California alone fought against the admission of Japanese laborers to this country, but the anti-Japanese feeling has spread to the Northwest and is gradually drifting eastward. It has reached as far East as Kansas and as far South as Texas.

The antagonism is not based primarily on the feeling that white men are, man to man, superior to Japanese, or that Western culture is in all things superior to the culture of the Orient. Unprejudiced Americans freely admit that no better-mannered or more courteous people than the Japanese tread the earth. The travelled American has the greatest admiration for the Japanese genius of industry, his courage and persistence. The antagonism is founded primarily on the well-established fact that the races will not mix—that yellow and white people will not assimilate. There is, too, the dread of the competition of the brown and yellow man in industry. But the feeling is deeper than that. The law laid down by the fathers was founded on the instinct of a racial self-defense and a determination that, so far as possible, America must be maintained as a white man's country.

America is not alone in this thought. Other white nations exposed to Asiatic immigration feel precisely the same way about it, as is attested by the restrictive laws of British Columbia, the Union of South Africa and the commonwealth of Australia, where the national cry is—"Australia for Australians from sea to sea."

Washington, D. C., January 20, 1923.

Jurisdiction over Foreigners in Siam

BY ELDON R. JAMES

II.

It was, agreed in Article III, (of the British treaty) that in case a British subject died in Siam, his property was to go to his heirs according to English law and the consul or his appointee might take charge of it on their account. Any debts due the deceased might be collected by the consul and if the deceased should owe money such claims were to be liquidated as far as the estate of the deceased sufficed.

The Bowring treaty and the supplementary agreement furnished the model for all treaties negotiated up to 1874. While there are variations in language, there is little, if any, difference in effect. Beginning with the United States,[11] there followed at short intervals, treaties with France,[12] Denmark,[13] the Hanseatic Republic,[14] Portugal,[15] The Netherlands,[16] Prussia and the States of the German Customs and Commercial Union and the Grand Duchies of Mecklenburg-Schwerin and Mecklenburg-Strelitz,[17] Sweden and Norway,[18] Belgium,[19] Italy,[20] Austria-Hungary,[21] and Spain.[22]

Since the treaty with Spain, no other treaties of the Bowring type have been concluded by Siam, though exterritoriality was later conceded to Russia and Japan but under terms differing from those contained in the Bowring treaty. From the great number of treaties of this type and the consequent development of consular jurisdiction within so short a space of time, it might not unnaturally have been thought that its shaking off or even its material modification would be extremely difficult and long delayed. However, the growing numbers of British Indian and Burmese subjects in the north of Siam, where a British consul was available only after a long and difficult journey to Bangkok, five hundred or more miles to the south, soon made some special arrangement for such persons necessary. The process of modifying the system established by the Bowring treaty began, therefore, much earlier than might otherwise have been expected.[23]

1874 to the Present Time

On January 14, 1874, four years after the last treaty of the Bowring type had been entered into, there was signed at Calcutta a treaty[24] between Siam and the government of India which provided for a special regime for British Indian and Burmese subjects in the three northern provinces of Chiengmai, Lakhon, and Lampoonchi. As the treaty had for one of its purposes the prevention and punishment of crime committed along the borders, chiefly dacoity, provision, was made for the establishment of guard stations on Siamese territory and for a mutual surrender of fugitives. If dacoity was committed in the three Siamese provinces and the perpetrators fled into British territory, the British authorities were to use their best endeavors to apprehend them and, if Siamese, they were to be delivered to the Siamese authorities. If British, they were to be dealt with by the British authorities. A corresponding arrangement was made in cases of dacoity in British territory if the dacoits fled into Siam. However, if any persons were apprehended in the territory in which the dacoity had been committed, they were to be tried and punished by the local courts without question as to their nationality. Passports were required for Siamese going into British territory and for British subjects going into Siam from British Burma. Native Indian British subjects entering the three Siamese provinces without passports were liable to the local courts and the local law for offences committed by them on Siamese territory, but if provided with passports, they were to be dealt with according to English law by the consul at Bangkok, or by the British officer in the Yoonzaleen district in Burma, who was authorized, subject to the conditions of the treaty, to exercise all or any of the powers of a British consul under the treaty of 1855 and the supplementary agreement of 1856.

The arrangements made for the disposition of civil disputes are historically important for in them is found the germ of those international courts which figure so largely in the later British treaties of 1883 and 1909 and in the French treaty of 1907. The king of Siam agreed to appoint proper persons to be judges in the city of Chiengmai with jurisdiction to investigate and decide claims arising between British and Siamese in the three provinces above named; but in the case of claims by Siamese against British subjects holding passports, the judges were to have jurisdiction only in case such British subjects consented. Claims of Siamese against British subjects not consenting to the jurisdiction of the judges were to be investigated and decided either by the consul at Bangkok or the officer in the Yoonzaleen district in Burma. All claims by Siamese against British subjects not holding passports were to be decided by the ordinary local courts.

These limited and somewhat unsatisfactory arrangements continued for only a few years. On September 3, 1883, the treaty of 1874 was abrogated by a new treaty[25] with the British government, which provided for a British consulate at Chiengmai and brought into existence a new system of jurisdiction for all British subjects resorting to Chiengmai, Lakhon, and Lampoonchi,

Many of the provisions of the treaty of 1874 were retained, but the jurisdiction of the court established by that treaty was extended so that all British subjects in the provinces named, in both civil and criminal matters and without distinction as to race and place of origin or the possession of passports, were placed under the jurisdiction of a special Siamese court, in the later treaties called the International Court, in which Siamese law was to be applied.

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11 May 29, 1856. *British and Foreign State Papers*, Vol. 46, p. 383.

12 August 15, 1856. *Ibid.*, Vol. 47, p. 993.

13 May 21, 1858. *Ibid.*, Vol. 50, p. 1073.

14 October 25, 1858. Unpublished but practically identical with the treaty with The Netherlands, *infra*, n. 16.

15 February 10 1859. *British and Foreign State Papers*, Vol. 72, p. 109.

15 December 17, 1860. *Ibid.*, Vol. 58, p. 262.

17 February 7, 1862. *Ibid.*, Vol. 53, p. 741.

18 May 18, 1868. *Ibid.*, Vol. 69, p. 1135.

19 August 29, 1868. *Ibid.*, Vol. 59, p. 405,

20 October 3, 1868. *Ibid*, Vol. 60,pp. 773, 783.

21 May 17, 1869. *Ibid.*, Vol. 61, p. 1308.

22 February 23, 1870. *Ibid.*, Vol. 61, p. 483.

23 The treaty between France and Siam, signed at Paris, July 15, 1867, *British and Foreign State Papers*, Vol. 47. p. 1340, in which Siam recognized the recently acquired French protectorate over Cambodia, contains, Article V, a provision that "if Cambodian subjects commit any crime or offence on Siamese territory, they shall . . . be tried and punished with justice by the Siamese government according to the laws of Siam." This, however, can hardly be taken as the beginning of the modification of exterritoriality, as Siam had not theretofore recognized the protectorate, and Cambodians in Siam had been always subject to the jurisdiction of the Siamese law and tribunals.

24 *British and Foreign State Papers*, Vol. 66, p. 537.

25 *British and Foreign State Papers*, Vol. 74, p. 78.

The sections of the treaty in which these arrangements are set out are reproduced in the footnote below. [26]

By this treaty, which was to continue in force for seven years from the exchange of ratifications and from year to year thereafter, all British subjects in the specified provinces were placed under the jurisdiction of a Siamese court, administering Siamese law. The participation of the consul or vice-consul in the proceedings, the privilege of evoking any case in which both parties or the defendant or accused were British subjects, together with the provisions for appeal to Bangkok, furnish guarantees of fairness on the part of the Siamese tribunal, which, if applied in the proper spirit by the consul, would not be likely to give offence to the natural pride of the Siamese in the integrity of their own institutions. Indeed so satisfactory to both parties did these arrangements work that they were extended later to eight other provinces in northern Siam, [27]

Between 1883 and 1898 no treaties were made concerning matters of jurisdiction. On February 25, 1898; a treaty [28] with Japan, to continue in force for ten years and from year to year thereafter, was signed at Bangkok which, though containing no reference itself to jurisdiction, had annexed to it a protocol in which is found the following:

1. The Siamese governmeht consent that Japanese consular officers shall exercise jurisdiction over Japanese subjects in Siam until the judicial reforms of Siam shall have been completed, that is, until a criminal code, a code of criminal procedure, a civil code (with exception of a law of marriage and succession), a code of civil procedure and a law of constitution of the courts of justice shall come into force.

The Japanese protocol marked a very real advance notwithstanding that it established consular jurisdiction in favor of a nation which had not been entitled to it theretofore, as it contained, for the first time in the history of exterritoriality in Siam, a recognition of the principle that consular jurisdiction was a temporary expedient and not a permanent arrangement. It is interesting to note that, at the time of the signing of the treaty with Siam, Japan had secured from those Powers to which she had granted consular jurisdiction a similar promise to relinquish the system upon the promulgation of the Japanese codes, a promise which was redeemed the following year when the codes were put into force. The treaty between Japan and Siam makes the end of consular jurisdiction dependent upon the completion of certain designated reforms of the Siamese legal system upon the accomplishment of which Japanese subjects are to be submitted to the Siamese courts without any guarantees whatever. [29]

During the following year an agreement, [30] dated June 11/23, 1899, was entered into between Siam and Russia by which, pending the conclusion of a treaty of friendship and commerce, Russian subjects were permitted to enjoy, in all that concerns jurisdiction, commerce, and navigation, all the rights and privileges granted to the subjects of other nations. No final treaty was ever concluded. The Russian agreement was not, therefore, as satisfactory from the Siamese standpoint as the Japanese protocol of the previous year, but inasmuch as it was only a temporary arrangement, it did not mark a definite step backward along the line of progress started by the Indian treaty of 1874.

Up to this time there had never been any definition of the persons entitled to registration at consulates under the provisions of the treaties. The extension of the possessions of Great Britain and France in the Far East had resulted in bringing under the protection of those Powers a large number of Asiatics who had previously been subject to Siamese jurisdiction during any sojourn they might make in Siam. Registration at the consulates of some of the countries having Asiatic subjects and proteges was not always confined to those entitled to it, and offenders against the criminal laws of Siam not infrequently appeared with letters of protection and certificates of registration which they sought to use for the purpose of preventing their trial and possible conviction in a Siamese court. The admission of a person to registration at a consulate was always made the basis of a claim that the registrant was not subject to Siamese jurisdiction, even though the registration had been improper. The correction of the register was a matter for the particular consulate and there was no procedure by which the Siamese government could institute proceedings to have the question decided. A Siamese court, conceivably, might reject the registration certificate but if this was done a diplomatic clash was inevitable. The first arrangement providing for a change in these respects was that contained in an agreement [31] between Great Britain and Siam, signed November 29, 1899. It was agreed that registration should be confined to the following categories of persons:

1. All British natural born or naturalized subjects other than those of Asiatic descent.

2. All children and grandchildren born in Siam of persons entitled to be registered under the first category who are entitled to the status of British subjects in contemplation of English law. Neither greatgrandchildren nor illegitimate children born in Siam of persons mentioned in the first category are entitled to be registered.

3. All persons of Asiatic descent born within the Queen's dominions or naturalized within the United Kingdom or born within the territory of any Prince or State in India under the suzerainty of or in alliance with the Queen. Except natives of Upper Burma of the British Shan States who became domiciled in Siam before January 1st, 1886.

4. All children born in Siam of persons entitled to be registered under the third category. No grandchildren born in Siam of persons mentioned in the third category are entitled to be registered for protection in Siam.

5. The wives and widows of any persons who are entitled to be registered under the foregoing categories.

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26 VIII. His Majesty the King of Siam will appoint a proper person or persons to be a commissioner and judge, and commissioners and judges, in Chiengmai for the purposes hereinafter mentioned. Such judges shall, subject to the limitations and provisions contained in the present treaty, exercise civil and criminal jursdiction in all cases arising in Chiengmai, Lakon and Lampoonchi, between British subjects, or in which British subjects may be parties as complainants, accused, plaintiffs or defendants, according to Siamese law; provided always, that in such cases the Consul or Vice-Consul shall be entitled to be present at the trial and to be furnished with copies of the proceedings, which when the defendant or accused is a British subject, shall be supplied free of charge, and to make any suggestions to the judge or judges which he may think proper in the interests of justice; provided, also, that the Consul or Vice-Consul shall have power at any time before judgment, if he shall think proper in the interests of justice by a written requisition under his hand directed to the judge or judges, to signify his desire that any case in which both parties are British subjects, or in which the accused or defendant is a British subject, be transferred for adjudication to the British Consular Court at Chiengmai and the case shall thereupon be transferred to such last mentioned Court accordingly, and be disposed of by the Consul or Vice-Consul, as provided by Article II of the Supplementary Agreement of 13th May, 1856.

IX. In civil and criminal cases in which British subjects may be parties, and which shall be tried before the said judge or judges, either party shall be entitled to appeal to Bangkok; if a British subject, with the sanction and consent of the British Consul or Vice-Consul and in other cases by leave of the presiding judge or judges.

In all such cases a transcript of the evidence, together with a report from the presiding judge or judges, shall be forwarded to Bangkok, and the appeal shall be disposed of there by the Siamese authorities and Her Britannic Majesty's Consul-General in consultation. Provided always that in all cases where the defendants or accused are Siamese subjects the final decision on appeal shall rest with the Siamese authorities; and that in all other cases in which British subjects are parties the final decision on appeal shall rest with Her Britannic Majesty's Consul-General. . . .

XIII. Except as and to the extent specially provided, nothing in this treaty shall be taken to affect the provisions of the Treaty of Friendship and Commerce between the King of Siam and Her Majesty of the 18th April, 1855, and the Agreement Supplementary thereto of the 13th May, 1856. . . .

27. Extended to Muang Nan and Phre by exchange of notes dated December 31, 1884, and January 10, 1885, and to Muang Than, Raheng, Sawankalok, Sukothai, Utaradit and Pichai by notes dated September 28, 1896. *British and Foreign State Papers*, Vol. 88, pp. 33, 34.

28. *Ibid.*, Vol. 90, pp. 66, 70.

29. The Siamese judicial reforms, though much in the way of modern legislation had been accomplished before, really began in earnest in 1892 with the reorganization of the Ministry of Justice. The Penal Code was put into force in 1908. The Civil and Commercial Code will be promulgated during 1922, and the work on the other codes is far advanced.

30. *British and Foreign State Papers*, Vol. 92, p. 109.

31. *British and Foreign State Papers*, Vol. 91, p. 101.

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This agreement, also, provided for the holding of a joint inquiry by the British and Siamese authorities should any question arise as to the right of any person to hold a British certificate of registration or as to the validity of the certificate itself.

Agreements having a similar purpose have been concluded with The Netherlands, May 1, 1901; France,[32] February 13, 1904; Denmark,[33] March 24, 1905; and Italy,[34] April 8, 1905.

Great Britain and France have large numbers of Asiatic subjects and proteges in Siam as has, also, in lesser degree, The Netherlands. These agreements, therefore, removed to a very large extent, though not entirely, what had been a source of irritation to the Siamese government. No arrangements of this kind, though, have been made with the other treaty Powers, some of which, chiefly Portugal, have considerable numbers in Siam who claim their protection.

The convention of 1904 with France and those of 1905 with Denmark and Italy, to which reference has just been made, modified very considerably the jurisdictional regime established by the earlier treaties. The French convention provided that, in the provinces of Chiengmai, Lakhon, Lampoon, and Nan, all criminal and civil cases involving French *ressortissants*, including quite clearly French citizens, should be tried in the Siamese International Courts. The consul was given the right to be present at hearings and to make such observations as might seem to him desirable in the interests of justice. In addition, if the defendant was French or a French protege, the consul might evoke the case for trial before him. In all of the other provinces of Siam, French *ressortissants* remained, as before, as to all those civil and criminal matters in which they might be concerned as defendants, under the jurisdiction of the consul. It was, however, provided that in civil cases in which the defendant was Siamese the action should be brought in the Siamese Court for Foreign Causes. Appeals from both the International Courts and the Court for Foreign Causes were to be brought to the Siamese Court of Appeal for Bangkok.

32. *British and Foreign State Papers*, Vol. 97, p. 961.

33. Pitkin, *Siam's Case for Revision of Obsolete Treaty Obligations*, Supp., p. 190.

34. Pitkin, *op. cit.*, Supp., p. 195.

The Italian convention of 1905 contained an arrangement similar to that in the French convention just described, the list of provinces to which it was to be applied being identical. The Danish convention of the same year was, also, practically identical, but in addition to the provinces named in the French and Italian conventions, including Phre.

A treaty,[35] with protocol, between Siam and France signed March 23, 1907, still further extended Siamese jurisdiction. By it all French Asiatic subjects and proteges, throughout Siam, registered at French consulates after the date of the treaty, were submitted to the jurisdiction of the ordinary Siamese, courts, except those in two provinces, Undorn and Isarn. All such subjects and proteges, registered at French consulates at the date of the treaty, and those in Udorn Isarn provisionally and without reference to the date of their registration, were submitted to the jurisdiction of the Siamese International Courts subject to the exercise by the consul of the privilege of evocation under the terms of the convention of 1904, but this privilege was to cease as to all matters coming within the scope of codes and laws regularly promulgated and put into force after they had been communicated to the French Legation. The regime of the International Courts was to come to an end and their jurisdiction transferred to the ordinary Siamese Courts after the promulgation and coming into force of the new codes. All judgments on appeal were required to bear the signatures of two European judges and a resort *en cassation* against the judgments of the Court of Appeal could be made to the Supreme Court or San Dika, which is its Siamese name.

The requirement that judgments of the Court of Appeal, in matters coming from the International Courts, should bear the signatures of two European judges is the first reference in the Siamese treaties to the presence of foreigners as judges or advisers in the Siamese service. No treaty had theretofore required the participation at any stage of the proceedings of foreign advisers or judges, though the Siamese government had made free use of the services of foreigners

35 *British and Foreign State Papers*, Vol. 100. p. 1028.

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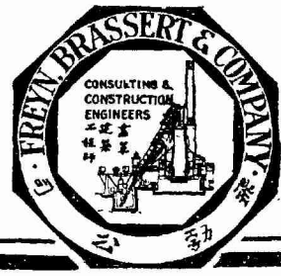

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in the administration of justice for a number of years [36] both in cases involving Siamese litigants only as well as in those to which foreigners were parties.

36 Mr. R. J. Kirkpatrick, *docteur en droit*, appears in the Bangkok Directory for 1895 as Legal Adviser to the Ministry of Justice, which had been reorganized in 1892. In the Directory for 1898, Mr. Kirkpatrick is listed as a judge of the Court of Appeal. The Directory for 1899 gives the name of five Europeans as Assistant Legal Advisers and Mr. Kirkpatrick is stated to be a member of the Supreme Court. In 1900 there were nine foreigners employed as Legal Advisers or Assistant Legal Advisers by the Ministry of Justice. It must not be forgotten that in 1892 and for ten years there after the Siamese government had the services of M. Jacquemyns, a distinguished Belgian jurist, as General Adviser. He was succeeded in 1902 by Professor Edward H. Strobel, then Bemis Professor of International Law in the Harvard Law School, who died in Siam in 1908. Professor Strobel's successor was Professor Jens I. Westengard, also of the Harvard Law School. Professor Westengard served as General Adviser until his retirement in 1915. Mr. Wolcott H. Pitkin was then appointed Adviser in Foreign Affairs and served for two years. Mr. Pitkin was a graduate of the Harvard Law School and had been Attorney General of Porto Rico.

At the present time, there is in the Ministry of Justice, a judicial Adviser, who sits regularly as a judge of the Supreme Court. There are, also, five Legal Advisers, of whom one sits as a judge of the Supreme Court and three as judges of the Court of Appeal. In addition there are fourteen assistant Legal advisers. These Legal advisers and assistant Legal advisers are of British, French and Belgian nationality. (The writer has failed to state that he himself is a judge of the Supreme court of Siam.)

This is the second of a series of articles on the subject of Extraterritoriality as applied in the Kingdom of Siam. Dr. James, the author of the article is American Adviser in Foreign Affairs at Bangkok. The articles appeared originally in the American Journal of International Law and are reprinted in the Weekly Review with the permission of Dr. James.

The Chinese Legal System

BY LEONARD S. HSU

BEFORE 1918 the Penal Law was the only written code of China and its history dated back to the time of the Chow dynasty. As one of the phases of the judicial reform in China during the closing years of the Manchu dynasty, new codes were drawn up.

In pursuance of the reform policy Prince Tsai Chen, Yuan Shih-Kai and Wu Ting-Fang were appointed Imperial Commissioners to compile a code of Commercial law, and in 1904 they submitted a draft containing nine articles of general law regarding merchants and 131 articles of company law. This code, based on the general principles of English company law, was shortly afterwards sanctioned by Imperial mandate.

In 1906 a Code of Civil and Criminal Procedure for the Chinese Empire was drafted. It distinguished between civil and criminal procedure, instituted trial by jury and provided for pleadings by lawyers in court. Another important feature was the introduction of the Anglo-American practice of cross-examining witnesses by counsel in preference to the well-known Continental inquisitorial procedure. Unfortunately this code was not adopted inasmuch as it was at that time felt to be too radical a change.

In 1906 a Bureau for the Revision of the Law was established. It prepared a number of important laws, such as the Bankruptcy Law, the Mining Law, the Police Offences Law, the Press Law, the Law of Associations, the Nationality Law and the Transportation Law. The Bureau also translated a large body of Western law, which was afterward published in thirty odd volumes. These formed the basis of those codes which were subsequently drafted by the Bureau: the Civil Code, the Criminal Code, the Code of Civil Procedure, the Code of Criminal Procedure and the Commercial Code. Japanese experts were associated with the Bureau, and the work became a semi-adaptation of Japanese law which, as is well known, is thoroughly permeated with German conceptions.

These drafts, however, were never officially promulgated until, with the advent of the Republic, some of the provisions were tentatively enforced by the new government. Since the Provisional Constitution provides that "no citizen may be arrested, imprisoned, tried or punished except by due process of law." the government decreed, three weeks later, that the draft Criminal Code should thenceforth apply in every criminal case.

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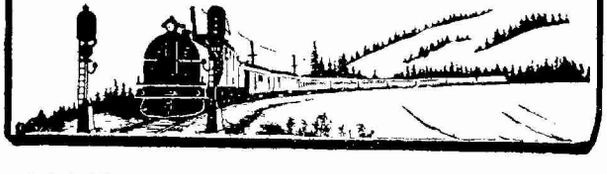

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In 1912 a new Law Codification Commission was formed to revise the Criminal Code, inasmuch as its text was in many places defective, and also to overhaul the several drafts prepared by the Imperial Commission but not yet promulgated. Later the Commission was reorganized and Dr. Wang Chung-Hui, a graduate of Yale, was appointed its chairman at the end of 1916. Subsequently the Commission's staff was enlarged, and many jurists of international reputation, such as Monsieur Georges Padeux and Mr. Tung Kang, were associated in the work.

In 1914 the first revised draft of the Provisional Criminal Code was approved, but as the reform under it was not sufficiently extensive, a second revision was undertaken. In February, 1920, the Commission completed its second revised draft, and translations in both English and French have since been published. This second revised draft is more logical and scientific than the original. Since some provisions are based upon the practice rather than the logical theories of the Chinese judges, they may be open to criticism by theorists. The chief source of this code is the Japanese Code of 1907. But a perusal of the draft would easily prove that a great deal has also been borrowed from the criminal legislation of the most advanced and recently published codes of European countries, as the Hungarian Criminal Code of May 28, 1878, the Dutch Criminal Code of March 3, 1881, the Italian Criminal Code of June 30, 1889, the Austrian Draft Criminal Code of 1893, the Soudan Criminal Code of 1889, the Swiss Draft Criminal Code of 1903, the Egyptial Criminal Code of February 14, 1904, and the Preliminary Revised Draft of the German Criminal Code of 1909. Of course, this draft is not final until it is sanctioned by Parliament. Nevertheless, there is good reason to suppose that, except perhaps for a few minor verbal changes it will become as at present published. This new code aims at making the criminal law as human as possible; thus it is by no means any different from the modern standard. If a person is adjudged guilty, he will be decently punished. The utmost penalty is death. Other punishments involve imprisonment for life, or imprisonment for a period of not less than twenty years, with or without deprivation or suspension of civil rights or forfeiture of property. Corporal or physical punishment is carefully avoided except in case of capital offences. The severity of the penalties combined with leniency in their enforcement is no longer true. The recognition of the family as a unit in law and its responsibility for crime have been abandoned and are now only of interest to the students of Chinese history. Individual initiative is particularly emphasized. Corruption and other abuses are well guarded against by law.

Since the completion of the draft criminal code the commission has been engaged upon a new code of criminal procedure. Questions as to jurisdiction, arrest, detention, examination of accused persons, and attachment of property are being carefully considered. A summary procedure in petty cases and rules controlling frivolous appeals are also intended to be included in the code. Most importantly, the code of criminal procedure is being compiled with the highest regard for the constitutional rights and privileges of all citizens. It affords ample protection to accused persons as well as to witnesses. It will surely compare favorably with the legislation of the more progressive nations.

Simultaneously the commission is working on a new code of civil procedure. The two codes of procedure having been completed, the work of preparing a civil code and commercial law will finally be undertaken. In the meantime the old commercial law of 1904 was repealed in 1914 by two statutes; the General Law regarding Merchants and the Law of Business Associations. In the preparation of these statutes great deal was borrowed both from English law and from Continental law. Other statutes now in force are: the Business Registration Law, the Law on the Registration of Business Associations, the Law on Chambers of Commerce, the Commercial Arbitration Law, and the Mining Law.

Before the Civil Code, the Code of Criminal Procedure the Code of Civil Procedure and the Commercial Code are sanctioned by the Parliament and promulgated by the President of the Republic, the following are looked upon as having the validity of law: (1) laws promulgated by the Emperors during pre-Republican times and re-sanctioned by a Presidential order; (2) laws drafted but not yet passed by the Parliament, but promulgated by a Presidential order that such drafts be in force provisionally unless repudiated by the Parliament; (3) Executive orders; (4) regulations drawn by a superior institution for its subordinate offices or officers, and (5) executive and judicial instructions. There is, of course, a multitude of statutes, passed by the Parliament and sanctioned by the President, which is law itself.

Chiness legislation has shown a distinct tendency toward the Continental legal system. One or two attempts were made to follow Anglo-American principles, such as the

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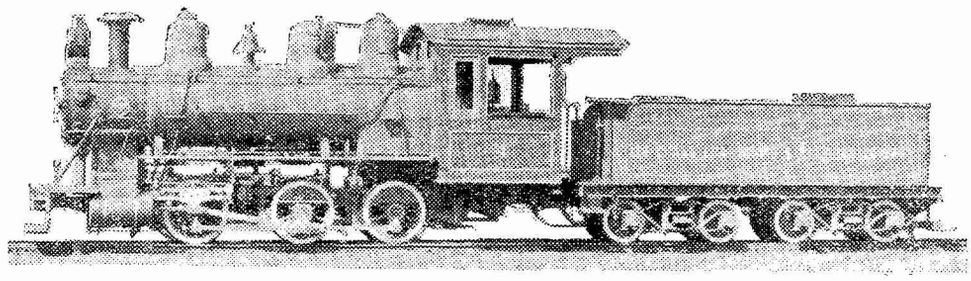

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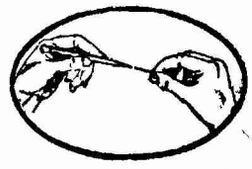

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commercial laws of 1904 and the draft code of 1906. As already stated, the first was repealed and the latter was not even adopted. The reasons for this are threefold. First, the large number of Chinese students trained in Japan naturally introduced into their country the Japanese system which is patterned after the German system based on Roman law. Thus German law was filtered into China through Japan. Second, Anglo-American law emphasizes the individual as against the family, while the Continental system inherits something of the old "familia." For centuries the unit of Chinese society has been the family. Reform has been obliged to reconcile the practical necessities of the Chinese traditions with the principles of some modern jurisprudence. Naturally the Continental idea is easier to follow. Third, the prevalence of case law under the Anglo-American system is difficult, if not impossible, to be followed. It is easier to adopt a ready-made system of comprehensive rules clearly and concisely set forth section by section.

The spirit of Anglo-American law is not, however, entirely absent in China. There is a tendency in China to adapt both Continental and Anglo-American systems to her own conditions. Many Chinese students trained in English and American law have returned to their country. Many judges in the Supreme Court and in the lower courts have been educated in England or America. Their influence naturally leans to the common law system. Another evidence that China will combine both the Anglo-American and Continental systems is the development of the unwritten law of decisions and law interpretation and legal advice by the courts. In these respects the principles of both systems are easily kept distinct. There is a still more interesting instance of revival of the Anglo-American system in China. The large semi-independent province of Hunan in central China, expressing allegiance neither to the Peking government nor to the Southern Constitutional government, has drawn up a Provincial Constitution of its own, looking toward the establishment a federal form of government composed of all provinces. In its Constitution, the express authority to interpret the Constitution as against inferior statutes is granted to the courts. This supremacy of the judiciary in matters of constitutional law is but a faithful copy of the American practice.

There are two things which should be considered in drafting any code. First, the Chinese people have a civilization of their own which is distinct from that of all other peoples in the world. China may, therefore, utilize but not imitate Western systems as a basis for the construction of her new codes. The ideals of both East and West should be preserved. Second, there is the great variety of Chinese customs. Some of these must be preserved in the new codes, while others must be sacrificed in favor of uniform legislation. Only thus can codification be successful, and law be a controlling factor, and not merely be asserted on paper.—From the *American Bar Association Journal*.

Received Letters of Appreciation from Secretary Hughes

W. A. Burns of Shanghai, who served on the American Delegation to the China Tariff Revision conference last Fall as the representative of the American Chamber of Commerce is in receipt of a letter from Secretary of State, Charles E. Hughes which reads as follows:

"The Department has been informed of the completion of the work of the China Tariff Revision Commission at Shanghai and of the large contribution made by the American Delegation to these negotiations. It desires to express to you its appreciation of your valuable services, which enabled the Delegation to keep in close working relations with American commercial interests and to obtain the benefit of your own special experience and advice." (Signed) Charles E. Hughes.

Mr. Burns is general manager of the American Trading Company. In commenting on the letter from Secretary Hughes to a representative of the *Review*, Mr. Burns said: "While my appointment to the Tariff Revision Commission came from the Secretary of State, I was, as a member of that Commission, serving as a representative of the American Chamber of Commerce and the data which was of service to the American Delegation was gathered through the good offices of the various committees of the Chamber of Commerce, as well as by myself. Therefore, this letter is an expression, to my mind, of appreciation on the part of the Secretary of State of the general services rendered to the Delegation by the members of the American commercial community."

The Chairman of the American Delegation was Julean Arnold, Commercial Attache and he and Mr. Burns were assisted by Henry Blackwood, of Seattle, a tariff expert in the employ of the U. S. Treasury Department.

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1. It is of the greatest importance that all articles to be sent through the Post should be addressed legibly and completely. The Post Office declines all responsibility in the case of insufficiently addressed articles. To be complete, an address must mention the name of the addressee, his rank or business, the street and number of the house, and, if addressed to a place in China, the town as well as the province, if intended for a place abroad, the country and its territorial subdivision—state, county or department—in which the town is situated, must be given.

2. The public—especially residents in the interior—are recommended to have prepared printed or written labels of thin paper bearing their name and address in Chinese, and to send them to their correspondents in order that these labels, in addition to the foreign address, may be affixed to postal articles to be sent to them. Similarly those in correspondence with persons resident in the interior of China who have not received such slips are advised to request their correspondents to supply them for use, as mentioned above.

3. Newspapers and Periodicals from abroad frequently reach China with wrappers torn and broken beyond identification. The public are consequently advised, in their own interest, to request senders—especially agents who bundle several periodicals in one packet—to

(*a*) Write or stamp the name and address of the addressee on the face of each periodical, as well as on the wrapper, so as to render delivery possible in case the wrapper is lost.

(*b*) Use strong packing-paper wrappers.

(*c*) Tie these wrappers round the papers securely with string.

4. Since the withdrawal of the foreign postal agencies from China, the reduced rates of postage which were in operation from certain foreign countries to their agencies in China no longer apply, and mail matter from abroad (except Japan, Korea, the Leased Territory of Kwantung, Taiwan, Hongkong and Macao, to and from which special rates operate) must be franked according to the rates fixed by the Universal Postal Union (International Tariff). Mail matter received in China from foreign countries without postage affixed according to international rates is liable to be taxed double the amount of the deficiency. The public are therefore advised to call the attention of their foreign correspondents to the necessity of franking mail matter according to the international rates.

5. To assist the Post Office in providing good service, the public are also requested to refer to the Postal Commissioner every case where an apparent irregularity occurs, as, in case of neglect of duty, non-discovery in one instance is likely to lead to a repetition of the offence. The cover of any article of correspondence about which complaint is made should, if possible, be forwarded to the Postal Commission with such complaint. Where correspondence has been missent or delayed, all that the complainant need do is to write on the cover "Missent to.....", "Not delivered till.....", as the case may be, and send it without letter to the Commissioner.

The importance of the above precautions cannot be too strongly emphasized, and strict adherence to them would prevent much annoyance to patrons of the Post Office, as well as difficulty to the postal employes responsible for the handling of the mails.

C. H. SHIELDS
Postal Commissioner.

Shanghai, 1st February, 1923.

British Chambers of Commerce Meet in Conference

THE Association of British Chambers of Commerce in China and Hongkong met in conference in Shanghai last week, the opening session taking place on Wednesday, February 21, in the British Supreme Court. Present at this conference were representatives from Peking, Tientsin, Hankow, Nanking, Chefoo, Hongkong, Shanghai, and Swatow. A large number of educational experts were also present and addressed some of the meetings.

Various resolutions drawn up by the conference members were taken up during the sessions. Those taken up on Wednesday, February 21, were: Illegal taxation, arbitration awards issued by the London Produce Brokers' Association, and the Boxer Indemnity. Thursday, February 22: Mail services, inland waters navigation, extraterritoriality, registration of vessels owned by China companies, ex-enemy concessions at Hankow and Tientsin, transit duties in Indo-China, the proposed 2½ percent surtax, crown leases, and trade marks and copyright. Friday, February 23: The port of Pukow, Tariff Rule, Shanghai Harbor, disorder in China, and China's copper currency. The latter two resolutions were discussed by delegates from the various national Chambers of Commerce in Shanghai.

A. W. Burkhill, chairman of the Association and R. H. Clive, British Counsellor of Legation addressed the first meeting, reviewing the work of the past year, touching on conditions in the country, and outlining the task of the present assembly. The afternoon's session was concerned with the resolutions—dealing with Illegal Taxation and Arbitration Awards issued by the London Produce Broker's Association—were considered and passed. In connection with the Boxer fund a number of prominent educational experts from various parts of China were invited to be present by the Association.

On Thursday, the conference devoted its attention to existing evils in China which should precede internal taxation reform—with particular reference to the proposed 2½ percent surtax agreed on at the Washington Conference. The surtax resolution was the outstanding feature of the program, however, several other important subjects were discussed. The resolutions passed were: Mail services, inland waters navigation, registration of vessel owned by China companies, ex-enemy concessions at Hankow and Tientsin, and the proposed 2½ percent surtax.

A very comprehensive and thoroughly considered resolution with regard to the disposal of the British Boxer Indemnity fund in connection with educational work was passed at the session on Friday. This was the important feature of the program for the day. The other resolutions brought up and passed by the delegates at this session had to do with: the port of Pukow, Tariff Rule 1, Shanghai's Harbor and the Boxer Indemnity, Disorder in China, and China's Copper Currency. The British Chambers of Commerce had invited a delegation from the other National Chambers of Commerce in Shanghai to be present on this occasion but the Chinese General Chamber of Commerce found it not advisable to send a delegation but authorized its foreign secretary Francis Zia to explain their views regarding the two resolutions "Disorder in China" and "China's Copper Currency." Mr. Zia in a lengthy address spoke regarding the two questions involved emphasizing the Chinese appreciation to the friendly Powers for their help and faith in China's cause. Mr. Zia had the following to say regarding the resolution on Disorder in China and Copper Currency.

"As to that part of the proposed resolution re Disorder in China where it says that "it seriously prejudices the furtherance of the principles promulgated at the Washington Conference which were formulated in the hope that China would forthwith take steps to set her house in order," our Chamber is of the opinion that a statement of this kind will raise diplomatic issues of highly controversial nature, and hence prefers to offer no comments.

"With regard to the resolution on Copper Currency, the Chamber firmly believes that the fundamental solution lies in the suspension of the minting of such coins. and the enforcement of the currency law as promulgated to the Third Year of the Republic. This law contains a provision that all coins should be minted on the decimal basis so that one hundred copper coins will be equal to a dollar. In order that such copper coins shall circulate in the market to the exclusion of all others, it will be necessary for the government, by a gradual process, to put an end to the circulation of the present copper coins which do not circulate on the decimal basis.

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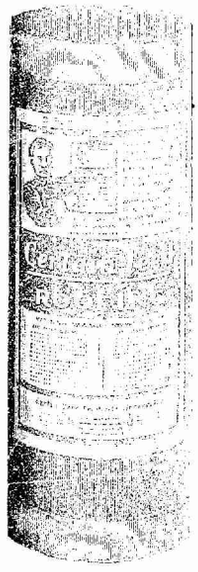

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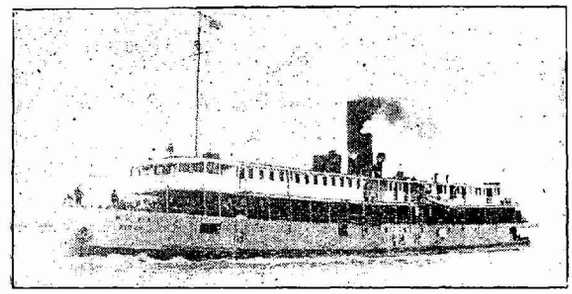

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"Apart from the materials specially ordered for the use of the mints to be operated by the Central government, all materials ordered for similar purposes such as copper, etc., with or without contracts, and irrespective of the nationalities of the recipients of such order, should be seized by the Customs authorities who will be empowered to confiscate such materials; and in case the foreign merchants who are parties to such contracts, have any claims to make as a result of such confiscations, their claims should only be addressed to those who originally placed the contracts, and the Central government should in no way be expected to entertain claims of this kind. The reform of the copper currency will eventually add much to the buying power of the masses, and your co-operation in the matter of preventing supplies of materials to unauthorised mints will certainly be a factor that will advance your trade interests.

The report of the chairman of the Conference in Committee, W. B. Kennett, who reviewed in a comprehensive manner the work accomplished during the three previous sessions brought the annual conference of Associated British Chambers of Commerce to a close at the British Supreme Court on Saturday, February 24.

Second to Incorporate under China Trade Act

The F. and E. Soter Tobacco Corporation of China (Fed. Inc. U.S.A.) enjoys the distinction of being the second company to incorporate under the China Trade Act. Incorporation was approved by Secretary Hoover in January, the capital being Gold $1,250,000 the majority of which has already been paid in by Americans. The directors are: E. Soter, president, Eugene C. Pomeroy, vice-president, Senator Marion Butler and M. Sadler.

The F. and E. Soter Corporation has been established for the past 18 years, manufacturing cigarettes. It is the only independent tobacco manufacturing concern in New York City.

F. Soter opened the Shanghai office of the China company at 94 Broadway last April. Mr. Pomeroy came last August in the capacity of general manager for the Orient. Mr. Soter recently arrived in Shanghai and is at present engaged in studying the field to determine whether the company will manufacture cigarettes in China or merely import them from America. Mr. Soter will soon make a trip to India where the company is about to open a factory.

The company was incorporated under the China Trade Act because it was believed that it was the most advantageous charter under which the company could do business. Such draw-backs as now exist in the law, the firm has faith, will be amended. It was also felt the company would enjoy more prestige amongst Chinese.

Mr. Soter states that Secretary Hoover is extremely strict concerning incorporation under the China Trade Act. Several applications have been turned down by him, and the Soter company was approved only after $550,000 was shown to have been paid in by *bona fide* Americans and the details of the company's enterprise specifically declared. Mr. Soter believes that if Mr. Hoover and succeeding secretaries of commerce maintain the present rigid standards, the China Trade Act will prove highly advantageous not only to American business in China, but in a larger development of the commercial relations of Chinese and the United States.

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The 18th issue will be exclusively a "Russian Foreign Trade Number."

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Who's Who in China

Tu Shun
(杜 純)

Tu Shun, Salt Transportation Commissioner of Chekiang, is a native of the Pan Yu District, of Kuangtung, and is 38 years of age. Shortly after leaving school, Mr. Tu was called to official life and, under the Manchu regime, received his first important appointment as Special Commissioner for the preparation and arrangement of the Nanyang Industrial Exposition.

Following the establishment of the Republic in 1911 Mr. Tu became chief secretary in the yamen of the Commissioner of Defense for Shanghai and Sungkiang, a post which was later changed to that of Military Governor of Shanghai and Sungkiang. He served in this post under three governors.

The Peking government then appointed Mr. Tu to the position of Superintendent of Customs in Hangchow. For some time he was Commissioner of Finance concurrently. The position of Salt Transportation Commissioner, was then offered him. He is chairman of the Chekiang Flood Relief Commission and is Director of the Hangchow branch of the Chinese-Foreign Famine Relief Committee. His activities are devoted not only to Hangchow and the province of Chekiang, but Shanghai, Peking and Canton organizations also have his assistance.

Mr. Tu has been decorated by the Chinese government with the Orders of the Chiaho (Excellent Crop) and the Wenfu (Literary Tiger). He holds many other decorations, including a special medal of merit for benevolence from the Peking government and the highest medal of honor from the Red Cross Society of China.

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Men and Events

J. E. Hayes of the J. E. Hayes Corporation, Tientsin, who has been in America on a six month's trip returned to China last week, accompanied by Mrs. Hayes.

"Local Natural History," was the subject of a lecture given by A. de Carle Sowerby, at a meeting of the Quest Society on Monday, February 26, in the hall of the Royal Asiatic Society.

L. G. Husar, U. S. District Attorney, returned to Shanghai last week after a brief trip to America. He is accompanied by Mrs. Husar. They are making their home in the U. S. Court building, Whangpoo Road.

Consul-General and Mrs. Cunningham departed on Sunday, February 25, for South China and Manila to be gone for three weeks or more. During Mr. Cunningham's absence, James P. Davis will be in charge of the Consulate-General.

Miss Clara I. Lambert, of the Church Mission, Foochow, who has been attending the British Chamber of Commerce Conference in Shanghai, departed for Foochow this week. Miss Lambert addressed one of the sessions of the conference while here.

A private view of an exhibition of watercolors of Kirkcudbrightshire, Cornwall and Yorkshire, also a view of Chinese subjects, painted by Miss Anna M. Hotchkis was held on Thursday, March 1, at the Jade Tree, 171 Nanking Road Shanghai.

Word has been received in Shanghai that Julean Arnold, American Commercial Attache, is expected to arrive in Shanghai in April on the *s. s. President Taft*. Mr. Arnold has been making an extensive tour of the States lecturing to various trade organizations and chambers of commerce.

Dr. Wu Chao-chu, son of the late Dr. Wu Ting-fang, and former Vice-Minister of Foreign Affairs, has had conferred upon him by President Li Yuan-hung the second-class Tashou Paokuang Chiaho, and Quo Tai-chi, former secretary to President Li, who is now prominently identified with the Kuomingtang, received the second-class Chiaho, according to information received.

The death occurred on Sunday, February 25, of Albert William Pontiu, American Consul-General at Mukden. Mr. Pontius was a native of St. Paul, Minn., and was forty-four years of age. He has served in the Consular Service in Tientsin, Newchwang, Hankow, Swatow, Dalny, Nanking, Foochow and Mukden. He also spent one year with the Division of Far Eastern Affairs in Washington.

The Narcotic Drug Control League held its second annual conference on February 2, at the home of Mrs. Henry Hammond, New York City. The many problems of combatting the drug evil were discussed at the meeting. General discussion was led by William McAdoo, Chief City Magistrate of New York City, and Ralph Oyler, narcotic agent in charge, New York Division, Internal Revenue Service.

The parents, and members of the board and the staff of the Shanghai American School, held a dinner on Wednesday evening, February 28, at the Carlton Annex, to discuss the problems concerning the moving of the school to the new quarters in French School, the teacher problem, and other matters. A Parent Teacher's Association has recently been formed at the school and the dinner was given under the auspices of this association.

A Japanese Medical Commission including six Japanese doctors is expected to arrive in the United States during the month of March, as guests of the Rockefeller Foundation for the purpose of studying American and Canadian medical institutions and methods. The Commission was appointed by the Japanese Minister of Education, Dr. Kamada, to whom the invitation was extended by President Vincent, through Baron Shidehara, the Japanese Ambassador at Washington.

The engagement of Miss Catherine Zee to Theodore Chen has been announced in Ningpo by Mrs. C. J. Zee. Mr. Chen was one of the Chinese delegates to the First Pan-Pacific Commercial Conference held last October in Honolulu and is now assisting W. S. Fleming in law pursuits. Miss Zee is the youngest sister of Vee Kung, Vee Wei and Vee Yung Zee, compradores of Dr. William's Medicine Co., Sun Life Insurance Co. and the Fu Chung Corporation, respectively and is now studying in the Virginia School, Huchow.

Harry Chin, a Chinese student in the Curtiss Aviation School, is the first member of his race to pass the rigid test of an aviator's licence imposed by the National Aeronautic Association of the U. S. A. The test was made under the supervision and observation of J. Whitbeck and Case Jones, who are experts for the association. He will receive his license in a few days and will return to his native state Canton, where he plans to enter business with a schoolmate. They will establish a passenger service to carry air passengers to and from Canton.

Charles E. Crane, formerly of the American Trading Company, departed for America last week after a stay in the Orient of twelve years. Mr. and Mrs. Crane while in Shanghai have been very active in affairs in the American com-

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munity. Mrs. Crane was specially prominent in the American Woman's Club, in social service work, and the Union Church. She was also chairman of the Work Committee of the Woman's Auxiliary of the Union Church. Mr. Crane was superintendent of the Union Church Sunday School and chairman of the Board of Benevolences.

The China Society of America held its tenth annual dinner at the Hotel Astor, New York, on Wednesday, February 14. The toast-master for the evening was Robert McElroy, managing director, and the speakers for the evening were: Charles Edward Russell, publicist and member of the president's industrial commission of 1919; Francis Wilson, author; Olivia Price, writer on things Chinese; and Wei-lien Hung, professor of history at Peking University. The chief business of the meeting was the election of ten members to the Board of Directors, to serve for three years ensuing. The annual report of the Board of Directors was made to the society at this time.

The International Conference of Education is being planned to be held at Oakland, and San Francisco, California, between June 28 and July 6. The Chinese National Association for the Advancement of Education and the National Association of Vocational Education have been invited to send delegates to attend the conference. The trustees of the N. A. A. E. in South and Central China had a special meeting on February 19 at Shanghai College of Commerce. They nominated a number of educators of national renown to be official delegates of the association. This list after concurrent approval by the trustees in North China, who will meet at the end of this month, will be made known to the public. Probably the delegates will sail for the States on June 4, on board the *s. s. Empress of Canada.*

The newly incorporated Peacock Film Corporation has leased permanent studio quarters at 116 Sinza Road, Shanghai, which will be occupied in a few days. The Peacock Film Corporation is a branch of the China Enterprises, Inc., which has been formed through a combination of Chinese and American capital. Four expert moving picture men from America have already arrived in China to start work on the production and distribution of pictures. The Chinese interests in the enterprise are represented by Chow Tse-chi, former minister of finance and acting premier. C. T. Wang, Luther Jee and others, while the American interests are represented by J. A. Thomas, former manager of the British-American Tobacco Company and the Chinese American Bank of Commerce. The American capital is supplied by the Du Pont and Duke interests.

Views In Review

Europe keeps aflame over German fuel.

Europe waves the red flag and Asia tries to flag the Red wave.

Some American senators would rather filabuster than fill a ship.

One safe thing about the Chinese Parliament is that it doesn't pass laws.

Senator Borah has been invited abroad. Why didn't somebody think of that long ago?

China was settled some thousands of years ago but it has been unsettled for the last few centuries.

The Peking cabinet is taking steps to keep laborers out of politics—apparently somebody appreciates the dignity of labor.

Years ago China used skin money, which probably accounts for the fact the national financial system still is something of a skin game.

Sun Yat-sen is determined to bring about disarmament and reunite China, even if he has to raise a whale of an army and bust the country everlastingly wide open to do it.

Grover Cleveland Bergdoll, famous American draft evader, is reported to have been married in Germany, where he is a fugitive. By the time the next war comes he'll know enough about fighting to take his place in the army.

Recently when a debate in the lower house of the Philippine Legislature grew extra heated members threw books at each other. The choice of weapons shows material progress for the Filipinos, for some years ago they would have thrown bolos.

R. C. B.

WHAT DO YOU KNOW ABOUT THE MEN OF AFFAIRS IN CHINA TODAY?

Do you know the names of the leading bankers, the men who operate the cotton and flour mills, the men who are interested in conservancy and flood prevention, the men who are trying to reorganize China educationally, the leading military governors or *tuchuns*, members of the various cabinets in recent years?

For example do these names suggest anything to your mind?

H. Y. Moh	Alfred Sze	Y. T. Tsur	Tang Shao-yi
Li Yuan-hung	Hsiung Hsi Ling	Tsai Yuan-pei	Tuan Chi-jui
Fong F. Sec	Chang Tai Yen	David Yui	Sun Yat Sen
P. W. Kuo	Wellington Koo	W. W. Yen	C. C. Nieh
Li Ming	Wang Chung-hui	C. T. Wang	Hwang Fu
K. P. Chen	Sung Han-chang	Liang Shih-yi	Kan Yu-we
Che Shih-yuan	Lu Yung-hsiang	Tsao Kun	Wu Pei-fu

These twenty-eight names represent individuals who are fairly well known, but outside of their names what do you know about them—about their educations—official life—present addresses—age—and so on. The next edition of

Who's Who in China

will give you just the information which you desire regarding these men and also the biographies and pictures of about 500 additional men who are active in the present day affairs of the Republic of China.

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News from Central China

T. L. Parkhurst, general manager of the Getz Bros. Co. of the Orient, visited Hankow from Peking during the China New Year days. He returned to Shanghai after an extended business trip to North China.

C. S. Yen, Chinese auditor of the Government Salt Gabelle at Hankow, left Hankow for Nanking last Wednesday. He is accompanied by Mrs. Yen and daughter, and will return to Hankow at an early date.

Wong Kwong, general manager of the Yangtze Engineering Works of Hankow, left in the early part of February for Shanghai. He planned to leave Shanghai for Belgium for a business trip connected with the Yangtze Works.

C. Y. Wang, mining engineer and brother of Dr. Wang Chung-hui, will be the host of the next meeting of the Crystal Club to be held in the China Merchants Club on March 6. C. Bos, of the Maritime Customs, will read a paper on the "Fascisti Movement."

C. J. McKnight, managing director of Liggett & Myers Tobacco Co., China, visited Hankow from Shanghai just before the China New Year. He was up here to inspect business conditions in the Central China territory, and returned to Shanghai after a stay of two days.

C. B. Horner of the Robert Dollar Company in Hankow, leaves on February 25, for America accompanied by Mrs. Horner. He will be away on furlough for about six months, during which L. C. Shreve, who has just arrived from Singapore, will be in charge of Robert Dollar interests here.

Herbert Goffe, British Consul-General, announces that the annual meeting of ratepayers in Hankow will be held on March 8, at the Victoria Hall. The annual report will be presented by the secretary at the meeting, and besides many resolutions will be brought up by ratepayers duly qualified to vote.

W. P. Mills, Secretary of the Hankow Y. M. C. A., will be the speaker of the March monthly meeting of the Union Literary Guild on March 2, the theme being "Present Day Movements in Chinese Life and Thought." The chair of the evening will be occupied by G. S. Moss, the British Vice-Consul of Hankow.

G. A. Combe, British Consul at Kiukiang, has been promoted to Consul-General assigned for duty to the British Consulate at Chengtu, Szechuan. He will be relieved by C. D. Smith. Mr. Combe will shortly proceed to the upper Yangtze spending a short time in Chungking while enroute to Chengtu.

A fancy dress ball will be held in the French Club on February 28. The ball will be of the kind called "Redoute" in two colors, black and tango, meaning that only those two colors should be used in the making of costumes. Owing to limited space available, the ball will be reserved to members of the Club and naval officers of the port and their families.

Two new members have been added to the staff of the Kuling American School. Mrs. Grace M. Ranks is the new school matron who has recently arrived from America, and Miss Frances Mandell is the new teacher in the lower primary department. Miss Mandell is a graduate of the University of Chicago, and has had two years experience in the work that she is now taking.

The first basketball of the season was played at the Y. M. C. A. gymnasium last Tuesday night between the crew from the *U. S. S. Isabel* and the Hankow team. The naval players beat the local team by a score of 16 to 12. McCormich and Colley played a brilliant game for the *Isabel*, while Ekval showed up well for the losers. Almost the entire crew of the *Isabel* was present.

The National Commercial Bank in Hankow has just issued their first lot of bank notes which are now in circulation here. The bank announces that the right of issuing notes was granted to the bank by the Imperial Board of Finance and during the Manchu dynasty in 1907. This was extended by the National Currency Bureau and approved by the Ministry of Finance in 1921.

The gang of labor agitators who have recently worked out sensational labor upheavals here have at last taken their flight, and peace is expected to follow in this center. These disappointed labor agents made their escape partly because their ringleader, Shih Yang, has been executed, and partly because the Tuchun has ordered their arrest. About thirty-six of them have been outlawed by the Tuchun.

Girl students of St. Mary's College of Shanghai who have returned to their homes in Hankow for winter recess

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held a Dance-Concert in the Y. M. C. A. Hall on February 22-23 in aid of the fund for the construction of the St. Mary's Chapel. The entertainment consisted of dances, music and a drama entitled "Beauty and the Beast" which drew out big audiences during the two performances.

At Ichang it is reported that the low water season has been very remarkable, and for some days the water mark has been standing at minus one inch. Foreign steamers have all stopped sailing to Chungking, though good well laden salt junks are still coming down. These perhaps draw as much if not more than the little steamers, but they must be shorter or more easily turned, for there is no doubt that there is much danger in sailing on the upper Yangtze at this time of year.

The interport Rugby match between Shanghai and Hankow was played in Hankow last Monday resulting in a splendid win for the visiting team. A reception was given to the Shanghai winners at the Race Club at which a record attendance turned out. This is the third year that Shanghai has visited Hankow, and the second in which they have taken away the flag, Hankow only winning the first of the interport games.

A band of robbers numbering some fifteen men raided the junks that clustered on the river front in Hanyang for the China New Year last Tuesday night. The robbers demanded $500 cash payment from amongst the junkmen, and immediately started firing on the junks upon the boatment refusing to give the money. An open clashing then followed between the robbers and armed water police force, and as a result two of the robbers were arrrested.

The Washington Ball this year was a remarkable success, being held under the auspices of the American Volunteer company. The hall at the Race Club was well decorated with the home of George Washington at Mount Vermon well presented in the scenic arrangement of the hall. Each dance was heralded by a Bugler from the *s. s. Isabel* where the fall in was sounded from the instrument, and the call met with a ready response from all present.

P. Grant Jones, British Acting Consul at Chungking Szechuan, has been appointed Vice. Consul and will be transferred to Hankow in April. He will relieve G. S. Moss in Hankow who will then proceed to Ichang to be Acting Consul there. J. B. Affleck, acting Consul at Ichang will go to England on March 15, on eight months' leave. E. W. P. Mills, Vice-Consul at Nanking, will relieve Mr. Affleck at Ichang pending the arrival of Mr. Moss from Hankow.

There are no less than forty different sects of religion that have cropped up here and there in Szechuan province, according to a foreign traveler who has just come back to Hankow. The various sects are gaining a following in different locolities but the Tung Hsian Suh has the biggest influence among them. The latter sect claims to be a combined religion of Confucianism and Spiritism. Many of these heathen sects bear resemblance to the prevailing religious ideas in Japan.

Wu Pei-fu has authorized General Yang Seng to take drastic action to eliminate General Liu Tsen-hsun, Commander of Szechuen, by attacking from Ichang the cities of Chungking and Chengtu. Yang Seng's troops originally quartered at Ichang have already made rapid inroads into Szechuen, which is now entering upon a new period of confusion and general chaos. Supplies of ammunitions have been shipped to Ichang and Szechuen from Wuchang for General Yang Seng to carry on operations against the present administration at Chungking.

A. Segawa, Japanese Consul-General at Hankow, has been recalled to Tokyo for another appointment, and leaves next Wednesday for his new post. Mr. Segawa was the senior Japanese resident in Hankow, being the first Japanese Consul in 1898, when there were no Japanese here. During the quarter of a century that he has been here taking charge of the affairs of Japanese here, the community has grown from none at all to 1578, which is more than half of the foreign residents of the port. A number of invitations have been extended to him both by Japanese and Chinese officials.

The newly established opium inspectorate is alleged to control all opium dealing interests in the provinces of Kwei-chow, Yunnan, Szechuan and Hunan. The authorities of these provinces are in alliance with the Hankow Inspectorate which is virtually the headquarters of the official opium-selling organ. Huge volumes of business pass through Hankow under official agency. This official undertaking in opium dealing is done on a profit sharing basis among the militarists of the opium provinces. Another feature in the business is that the opium producing provinces in the southwest get supplies of ammunitions from Hupeh exchange for opium exported through them.

Hankow, February 24, 1923.

The American Cigarette Abroad

The world will have the American cigarette. It bought 12,000,000,000 of them in 1922 against slightly more than 2,000,000,000 in the year preceding the war, and the number of countries to which they were sent in 1922 is 80 as against 50 in 1913. The total value of the exports of cigarettes in 1922 is approximately $24,000,000 against less than $3,000,00 in the year preceding the war. This growing demand for our cigarettes comes chiefly from the Orient. To China alone the exports of cigarettes in 1922 were 8,500,000,000 against 641,000,000 in 1913, and the sum sent to us in payment therefor from China alone was $17,000,000 against $1,000,000 in 1913.

There was a large exportation of cigarettes to Europe during the war periods, especially to France, Belgium and Italy, but the sales to that continent have greatly fallen off since the close of the war, while those to the Orient have gone on increasing. While China is by far the largest single customer for our cigarettes at the present time, other Oriental countries are also increasing their demands. The Straits Settlments, which distributes its imports to all parts of the Orient, took in 1922 over a billion of our cigarettes, and Hong Kong, which sends most of its imports into China, took about 600,000,000 in 1922 against 536,000 in the year preceding the war. Siam also shows a growing taste for the American cigarette and our exports to that country in 1922 are more than double those of the immediately preceding year. India, however, has materially reduced her demand, while Japan is apparently non-addicted to the American cigarette habit.

The "habit" of the American cigarette is evidenced by the fact that the total number of countries to which our cigarettes were sent in 1922 is approximately 80 against 50 in the prewar year, 1913, and the value of the export to the whole world in 1922 $24.000,000 against $2,954,000 in 1913.

The total value of cigarettes exported from the United States in the eight years since the beginning of the war is $165,000,000 against $22,000,000 in the eight years preceding the war. The total value of tobacco in all forms exported from the United States in the eight years since 1914 is $1,325,000,000 against about $350,000,000 in the eight years immediately preceding the war.—*From the Trade Record of the National City Bank of New York.*

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Peak Hotel	Hongkong.	Excursionists Hotel	Canton.
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The Week in the Far East

(Covering the period from Wednesday, February 21, to Wednesday, February 28.)

With steps being taken in one part of China to reform the country's habits and people, with another part facing an era of warfare, and the Central government dickering over Who's Who in the Cabinet and who will remain as a member of the Cabinet, nothing of outstanding importance has come up worthy of mention during the week under review. Japan seems to be greatly concerned during the past week over her internal situation, and Russia still is groping for a new light.

News from Canton is all centered around the arrival of Sun Yat-sen and party, and his ability to raise a large sum of money at Hongkong to carry out his program of reform for Southern China. Reports emanating from there assure the patriots of China that drastic measures will be taken immediately to suppress all evil doings in the social and industrial life, a strong effort will be made toward disbandment of troops, Canton will again resume her normal state. The latest report from Canton shows Dr. Sun parleying with his Military Chiefs, and in a summarized form, the following despatch was contained in the *Evening News* (Shanghai):

"He pointed out that with the exception of Hunan and Yunnan, the authorities of which were fence-riders, the South-Western block of the provinces remained loyal to the Constitutionalist cause. He said that he would first deal with the fence-riders, before he proceeded further with his reunification scheme.

"Doctor Sun contemplates appointing General Shen Hung-ying Commander-in-chief of the Kwangsi troops and Commissioner of Border Defence of Kwangtung and Kwansi. It is reported that Doctor Sun sent his son, Mr. Sun Fu, to interview General Shen at the Shihching Arsenal yesterday.

"Mr. Hsu Shao-tseng, Civil Governor of Kwangtung, has appointed Mr. Sun Fu Mayor of Canton, which post he held before. A report from Chuanchow, Fukien, states that General Hsu Chung-chi is reorganizing his troops there and will soon march them, 15,000 strong, back to Canton.

"The railways in Kwangtung have not been affected by the strikes in the North and regular traffic is being maintained. Local Cantonese residents are in receipt of a communication from Gen. Wei Pang-pin, former commander of the third division of Cantonese troops, dealing at length with the recent coup d'etat at Canton.

According to the message, Gen. Shen Hung-ying Commander of Kwangsi troops, was jealous of the popularity General Wei and his troops enjoyed among the populace—this feeling of jealousy which had naturally grown into hostility having led the Kwangsi commander to make an attempt upon Wei's life in the recent uprising.

General Wei further states that he is unwilling to take revenge against General Shen Hung-ying, as any retaliatory measure would necessarily redound adversely to the interests of the people.

Controversies on the Upper Yangste have finally resulted in open warfare which is a sign that the whole of Western China will be thrown into another era of warfare. The various cliques which have been at loggerheads are now split asunder and the hostile camps are ushering the province into a new period of confusion and chaos. According to the *Independent News Service*, Commander Liu Chen-hsun, for a time managed to hold the uncompromising parties together, but his efforts resulted in isolation of his own position. He is now facing attacks, more or less combined, from all sides. "The trouble began when the commander of the seventh division was dismissed. The Third Division under Liu Wen-hui at once proceeded from Chungking to Suichow and in co-operation with Nai Hsin-hui uprooted the remaining influence of Gen. Lin Tsen-hou there.

"The First Army of Szechuen under Yang Seng is offering strong pressure from the Ichang side with Chen Hsia-ling's troops at Yachow preparing for a coup at Chengtu. The base of operations of the First Army is at Wanhsien and troops are moving to capture a position for the once routed Gen. Yang Seng. Chengtu is liable to fall into new hands at any time, while the sixth division is adding pressure on Commander Liu Chen-hsun at Chungking.

"General Tung Shih-hou is exacting a $200,000 loan from local merchants here, but no money is forthcoming on account of the financial stringency preceding the China New Year.

After resuming a semi-normal state of mind regarding the formation of a permanent Cabinet with Chang Shao-tseng as its head, the Militarists again seem to be dissatisfied and have formed a Tsao Kun league. The Paotingfu and Loyang militarists are expressing disappointment with the Cabinet because their recommendation that Shen Chuan-fang be appointed Tulis of Kwangtung and Fukien has not been favorably acted upon with the result that there is further talk in political circles of the early collapse of the Cabinet. Political ammunition is being made of the alleged favor

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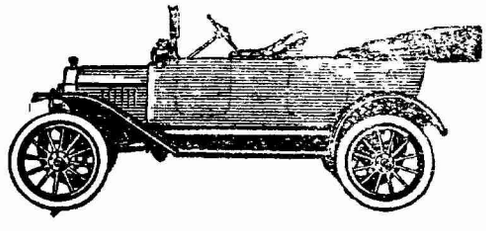


shown old Southwestern leaders, as Sun Yat-sen, by the Premier and of the pardoning of Anfu and other devoted political leaders.

A news report in the *Peking and Tientsin Times* gives some idea of the campaigning going on at the present time for president:

"Sun Fa-hsu, representing the Kiangsu Tuchun, Chi Hsieh-yuan, is still at Paoting discussing reunification with Tsao Kun and some sort of a political pow-wow has been called there. Governor Wang Chen-pin, Mr. Wang Ko-min, Tsao Jui, Pien Shou-ching and other leaders have already departed from Tientsin to attend. One Tientsin leader is said to have guaranteed to place Tsao Kun in the Presidency if a campaign expense fund of eight million dollars be raised. Of this he has suggested each of the M. P.s should receive something like $6,000 while the rest should be used for "extraordinary and sundry" election expenses. An ex-Finance Minister is said to have offered to start the ball rolling with a subscription of a sum running into six figures and representatives of Lu Yung-hsiang of Chekiang are understood to have pledged $1,000,000 under certain conditions.

Peking seems to vary as to the policy to adopt toward Fukien Province. However it is rumored that the President wishes to retain Admiral Kiu Kuang-hsiung, the Pacification Commissioner, in his post, while the leaders at Paotingfu and Loyang, are in favor of General Sun Chuan-fang. The Premier desires neither of these but wishes to appoint Gen. Chu Peng-tso as Tuli of Fukien.

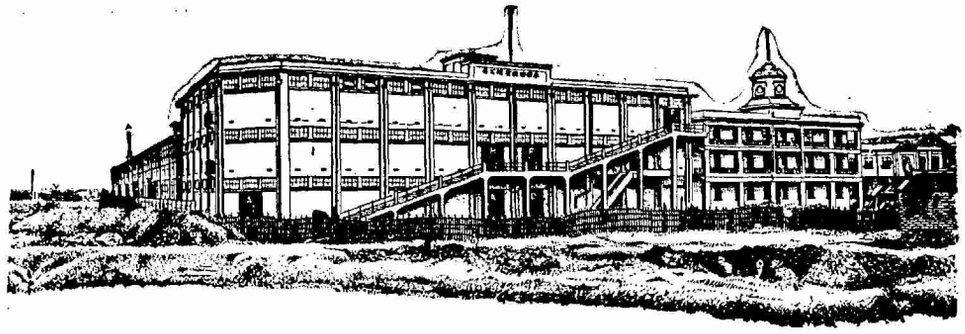
Nothing further has been done in regard to the settlement of the Coltman Case A report was made in Peking that an indemnity of G. $50,000 would be paid to the Coltman family, in addition to proper steps made for imprisonment of officers connected with the shooting incident, but nothing definite has been reported and no report confirmed in this connection.

According to several comments made in Japan during the week under review, both Japan and China seem to be of the same opinion when it comes to modeling their respective governments—after that of England. The *Jiji* carried the following news relating to this statement:

"The present degraded state of the House is chiefly due to the fact that its members are mostly of low character, but the vehemence of party strife is also an important contributary cause. Unless effective steps are taken to strike at this cause it will be impossible to make the House cut a more respectful figure. We are far from repudiating parliamentary politics. We are, indeed, earnest in our desire for the healthy development of party politics, and are well aware of the need, not to say the inevitability, of rivalry between political parties. However, we believe that the ultimate aims of all political parties must concern merely the ways and means of attaining this common object.

"It is scarcely necessary to say that England is the country where political parties are most fully developed. Although party competition is vigorous the methods used are fair and above board. This is due to the fact that party organizations are perfect, party members are well trained and party morality is on a high plane. Even England however, is not entirely free from party evils, and many plans have been devised to alleviate them. As Japan has a national condition much different from that of England it is, of course, impossible to adopt into all the remedial measures devised in that country, but we think it not altogether out of place to mention some of these measures for reference.

"With a view to alleviating party strife which has been acquiring increasing vehemence (though not so vehement as in Japan English statesmen have contrived to divide political issues into party issues and non-party-issues. England is an insular country and consequently her navy forms the first line of national defense. Matters relating to the navy were first put outside the arena of party politics. England has possessions all over the world and her diplomatic questions are consequently both complex and multifarious, and an agreement was reached among the leaders of the various parties to treat diplomatic questions as naval above party politics. With naval and diplomatic matters placed outside the pale of party politics the range of party issues has been considerably limited, with the result that party strife has lost much of its bitterness. There is another factor contributing to modify bitter party struggles. It is the exclusion of party influence from local governing bodies. In Japan party sentiment runs high even among the members of local assemblies, and it is usual that influential political parties give provincial people tempting promises regarding the promotion of local increases in order to enhance their influence in the provinces. In England, the system of local government has been established so firmly that there is no room left for the incursion of party influences. Matters relating to railways, gas supplies, waterworks, etc., which affect only local interests, are not handled as party questions. There exists proper machinery for giving impartial decisions on these matters. The fact that the Speaker of the House of Commoons occupies a position of special authority, regardless of his party affiliations, must also be mentioned as one factor in alleviating party strife."



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GENERAL NEWS SUMMARY

February 22. Opponents of the Ship Subsidy Bill begin filibuster in U. S. Senate in endeavor to kill measure through dilatory tactics.——New York State Assembly passes resolution by 78 to 64 votes to forward memorandum to Congress urging modification of Prohibition Law——Germany is guilty of bad faith in that she has done nothing on reparations, is assertion of *London Times*.——Bill introduced in Philippine Legislature proposing twenty-five year lease of 50,000 acres of land suitable for rubber growing.——According to London report Britain is urged to quit Mesopotamia in that expenditures are too heavy.

February 23. New York dispatch says sixty-four arrests are made by Federal Secret Service operatives in what is declared to be most elaborote counterfiting plot ever discovered in United States.——Swiss Leader, President Karl Scheurer, urges vigorous cooperation of neutrals to restore peace and justice in world affairs.

February 24. U. S. Federal Secret Service announces more arrests and says counterfit conspiracy is not limited but world wide.——National Assembly unfavorable to proposals of powers and blames unyielding attitude of France and financial conditions for breaking down of Lausanne Conference.

February 25. London Board of Trade reports British exports on upgrade and deficit is cut ten percent in second quarter.——A congregation of fifteen thousand people hold mass meeting in New York to protest French occupation of Ruhr Valley, the majority of people native born Germans and Irish.

February 27. London hears rumor that France has new scheme which says French intend using black soldiers for advance in Ruhr district, which report the French deny.——Various reports are current with regard to Ship Subsidy Bill, some admitting that Bill will be permanently shelved while others argue it will be carried in U. S. Senate.

February 28. American Ambassador to the Court of St. James, in addressing Journalists' Club makes statement that Britain and America are working out plan for U. S. to help in Europe.

Weekly Cotton Market Report.

By A. B. Rosenfeld & Son

China Cotton.—Since the opening of the market after the Chinese New Year festivals, prices have had a general upward tendency, at the close of the week, showing an advance of Tls. 2.00.

In viewing the situation from all sides, therefore, we do not think that the recent advance has been excessive, and while any calculations involving the future trend of the market being dependent on developments in the "yarn" situation, we believe that as the outlook presents itself at present, the chances for successful operations still lie on the bull side, so that if any temporary setback should develop in the speculative markets, we could only advise our friends to take advantage of such moments to buy.

Yarn.—The market has been quite firm during the past week, and prices advanced Tls. 2.00 to Tls. 3.00 as compared with last year's level. Business for export has been booked, some 3,000 to 4,000 bales in all counts and over 2,000 bales direct booking with Domestic Mills is recorded.

Liverpool, February 22, 1923.

Liverpool Market:—

Middling American, Spot	15.82	Pence
" " March	15.68	"
" " May	16.13	"

Market:—*Steady.*

New York, February 21, 1923.

New York Market:—

March	29.33	Cents
May	29.43	"
July	28.79	"
October	26.10	"
December	25.80	"
Spot	29.45	"

Market:—*Firm.*

Bombay, February 22, 1923.

Bombay Market:—

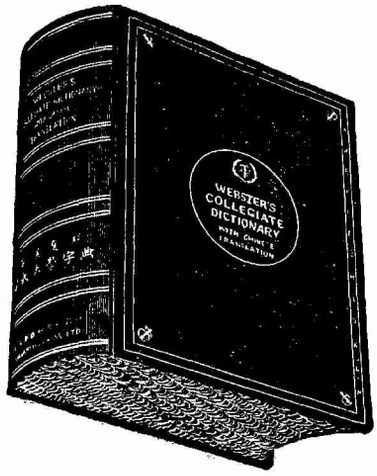
Broach, F. G. April/May	Rps. 547	per Khandy.
Fully Good Bengal, March	" 399	" "
Fine Oomra, March	" 487	" "

Market:—*Steady.*

Shanghai Market:—

Tungchow, Spot	Tls.	43.50
Shanghai, Spot	"	40.00
M-ginned, Sopt	"	40.00
Taichong, Spot	"	41.50
Shensi, Spot	"	42.00

Market:—*Steady.*



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New Books and Publications

"East of Suez."

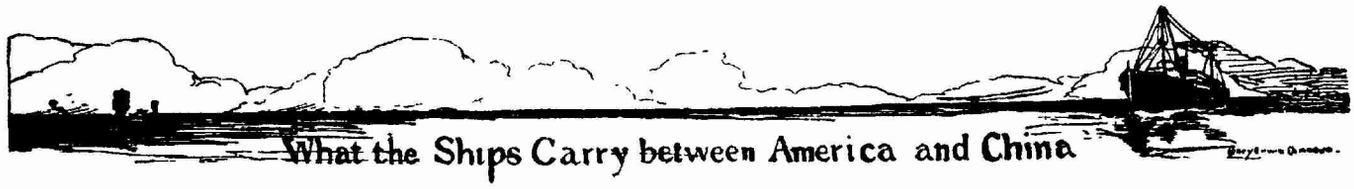
A Play in Seven Scenes by W. Somerset Maugham. New York, Geo. H. Doran Company.

WE cannot say that any perfection of art in "East of Suez" impressed us, but then we have never considered Mr. Maugham primarily an artist, nor do we think he so envisages himself. We have no doubt that there is gorgeousness and exoticism in the production as a play; but given the properties the author demands in Scene I, it could scarcely escape it, and there is singularly little or any of the spirit of beauty in the lines and speeches. Mr. Maugham has in fact missed so many chances for beauty in his work that we think we are quite justified in feeling him a faithful chronicler of the human impulse but little more. There are moments in "Liza," but very few and fleeting, of beauty and artistry, but where is all the radiant exoticism of the tropics that might have flowed in and through "The Moon and Sixpence?" So there are moments—too many—in "East of Suez" where the dialogue is as drab and gray as Lambeth itself. There is an author with whom Maugham bears comparison, especially in these latest books; that is Thomas Burke. Their mood is similar—to portray the more grisly aspects of life—but with this difference, that Burke somehow manages to infuse into "Twinkle-toes" and "Limehouse Nights" the unmistakable odor of beauty, and so we can forgive him where we cannot Maugham when he is warped and inaccurate in his estimate of Chinese character. Besides, Burke has not been here, but Maugham has, and he might conceivably have stayed long enough to find out what a Chinese girl really was like. As it is, he has come with the intention of writing a play with a Eurasian girl in it, and has made her, not as she really is; but exactly to his heart's desire. As a matter of fact, there is not any more reason to think that a person of mixed blood must necessarily err along the lines of sex than there would be to think that a person with English blood, supposing the English to be the despised race, would err along that line. That is a common fault of people who suppose things about people of mixed blood and know none. And particularly is it absurd in discussing a Eurasian who is part Chinese. China is for the most part a northern country, and the Chinese have never in the course of their long history been given to promiscuity or license in sex matters—we may be sure they would never have continued so long as a nation if this were not so. So why in the name of conscience should this be made the absolutely determing factor in the life of a Chinese Eurasian girl? As a matter of fact, there must be deep and troubulous pools in the Eurasian character, but we are not of the school who can believe it any better, or worse, than its forbears. The science of anthropology is as yet undecided, so perhaps as a matter of justice we should wait for a spokesman of their own to determine their stature as "Darkwater" carried us off our feet when it came in its revelation of Negro character. We have mentioned the Negro, but there should be clear distinctions drawn between Eurasians of various countries at the outset; for those of us who cannot regard racial differances emotionally one way or the other there is a greater incumbency to make a clear study. In case someone thinks we are lumping everyone of the growing Eurasian race together after the manner of our foremost novelists, let us say that in our opinion there would be as great a difference between a person of mixed Negro blood and one of mixed Chinese blood as there is between a race near the jungle in biological inheritance, and one of a race which is older in civilization than any other now on earth.

In the racial understanding which is growing, the very thin tune of Mr. W. Somerset Maugham, who dares to treat as though it were hopeless, a question in which so much is incalculably bound up; will we hope be completely drowned.

L. K. H.

Shanghai, February. 20, 1923.



What the Ships Carry between America and China

Returns of the Shanghai Customs

(Keys Pls.—1 Picul or 133 1/3 pounds; Bls.—Bales; Pcs.—Pieces; Mille—thousands; Hk. Tls.—Haikwan Tls., Customs Rate Jan. Tls. 1.26 equal Gold $1)

S. S. Robert Dollar, January 31.

To Boston.

Cotton, Raw, Bls. 250	Pls.	1,002

To New York.

Antimony, Regulus ...	,,	252
Cotton, Raw, Bls. 951.	,,	3,525
Cotton Waste.....	,,	351
Cotton Yarn, Waste ..	,,	584
Feathers.....	,,	692
Hair, Human	,,	200
Hides, Buffalo	,,	846
Hides, Cow	,,	481
Skins, Goat, Untanned.	Pcs.	9,144

Foreign Goods.

Woolen Coatings.....	Yds.	32,711
Woolen Serges	,,	6,163

S S Dryden, from U. S. A , January 24.

Iron, Galvanized:

Wire Shorts.....	Pls.	457
Carbon, Black	,,	281
Cotton, Raw, Bls. 1,900	,,	3,715
Grease, Lubricating....	,,	179
Paper, Wrapping	,,	7
Wax, Paraffin	,,	1,260
Oil, Kerosene, in Cases.	Galls	991,100
Oil, Lubricating.....	Galls.	27,804

S. S. Hannawa, from U. S. A., January 26.

Wheat.....	Pls.	9,000

Timber:

Softwood, Ordinary Sawn.....	Sup. ft.	659,277
Softwood Clear...	Sup. ft.	91,566

S. S. Ida, from U.S.A., January 24.

Grease	Pls.	68
Wax, Paraffin	,,	816
Oil, Kerosene, in cases.	Galls.	611,300
Oil, Lubricating.....	Galls.	111,099
Turpentine.....	Galls.	2,498

S. S. China, from U. S. A., January 27.

Butter.....	Pls.	15
Coffee	,,	11
Flour, Corn.....	,,	11
Macaroni	,,	23
Raisins	,,	1,100
Soda, Caustic	,,	410
Sugar, Cube.....	,,	8
Lemons, Fresh.....	Pcs.	27,750
Cigarettes.....	Mille	34,500
Treasure, Silver Bars.	Hk. Tls.	435,627

S. S. Taiyo Maru, January 27, from U. S. A.

Cotton, Raw, Bls. 500	Pls.	1,875
Fruits, Fresh	,,	5
Sugar of Milk	,,	75
Tobacco, Leaf	,,	2 156
Tobacco, Prepared....	,,	3
Lemons, Fresh.....	Pcs.	3,750
Cigarettes.....	Mille	37,550

S. S. Borneo Maru, from U. S. A., January 26.

Iron, Galvanized:

Wire, Shorts	Pls.	673
Steel, Bamboo	,,	600
Wax, Paraffin	,,	1,089
Oil, Kerosene, in Cases	Galls	1,619,760

S. S. Cyclops, from U. S. A., January 27.

Iron Bolts and Nuts ...	Pls.	94
Iron Nails, Wire	,,	47
Iron Pipes and Tubes..	,,	1,041

Iron, Galvanized:

Wire	,,	270
Wire Shorts.....	,,	1,549
Soda, Caustic.....	,,	839
Gum, Arabic.....	,,	9
Ink, Printing.....	,,	88
Leadfoil and Tinfoil ...	,,	287
Paper, Writing.....	,,	44
Pitch	,,	45
Wax, Paraffin	,,	282
Grease	,,	23
Tobacco, Leaf	,,	10,113
Tobacco, Prepared....	,,	11
Lanterns.....	Pcs.	6,000
Typewriters	,,	240
Cigars	Mille	30
Cigarettes.....	Mille.	54
Waterproof Cloth.....	Yds.	993
Dyes, Aniline, Pkgs. 17	Hk. Tls.	102
Machinery.....	Hk. Tls.	69,203

S. S. Moorish Prince, from U. S. A., January 29.

Printed, Shirtings.....	Pcs.	4,461
Typewriters	,,	4
Waterproof Cloth.....	Yds.	1,081
Iron Pipes	Pls.	36
Iron, Plates	,,	81
Bones, Cow	,,	165
Cement	Pls.	434
Cheese	,,	3
Glucose	,,	305
Glycerine	,,	51
Indigo Paste, Artificial.	,,	1,913
Leadfoil and Tinfoil ...	,,	1,189
Paper, Cigarettes, on Bobbins	,,	76
Tobacco, Leaf.....	,,	7,647
Oil Kerosene, in Cases	Galls.	898,270
Naphtha, in Cases....	,,	191,520
Canned Fruits.....	Doz.	39
Canned Meats	,,	70
Canned Vegetables	,,	189
Cigarettes	Mille	75,420
Machinery	Hk. Tls.	28,027

S. S. Robert Dollar, from U. S. A., January 29.

Woollen Goods, Unclassed	Yds.	287
Cotton, Raw, Bls. 73 .	Pls.	262
Cotton, Knitted Clothing, Raised.....	,,	15
Iron Washers.....	Pls.	80
Iron Plates, Old.....	,,	526
Steel, Bamboo	,,	617
Acid, Stearic	,,	17
Barley.....	,,	1,754
Bones, Cow	,,	60
Glucose	,,	137
Glycerine.....	,,	50
Indigo Paste, Artificial.	,,	3,081
Paper, Cigarette, on Bobbins	,,	56
Soda, Caustic	,,	2,817
Tobacco, Leaf	,,	14,223
Tobacco, Prepared....	,,	5
Machines, Sewing....	Pcs.	72
Motor-cars	,,	2
Oilcloth	,,	275
Cigarettes.....	Mille.	1,000
Oil, Kerosene, in Cases	Galls.	250,000
Rum	,,	1,428
Turpentine.....	,,	833
Machinery	Hk. Tls.	66,605

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Outline for the Study of Current History, Finance and Commerce of China

by

H. F. MacNair, Ph. D.

Professor of History and Government, St. John's University

This outline, primarily for the use of middle schools and colleges, is based upon the Review for last week. It is not intended that the whole of the outline be used but that those topics be selected that are found to be adapted to the class.

1. International Affairs

Topic 1: Jurisdiction over Foreigners in Siam

References: Pp. 499-501

Questions: 1. Why is the question of exterritoriality in Siam of interest to natives and other residents of China? 2. Into how many periods does a review of the system of jurisdiction over foreigners in Siam fall? 3. Why is it difficult to study the early Siamese treaties? 4. Which Europeans were the first to arrive in the orient in large numbers? When? 5. Why did Japanese settle in Siam in the 17th century? 6. Describe the "Captain" system referred to. 7. Of what importance was the treaty with the Dutch East India Company of 1664? the English treaty of 1855?

Topic 2: The Japanese Viewpoint on Extraterritoriality

References: Pp. 497-8

Questions: 1. For how long a period was there extraterritoriality in Japan? 2. Under what conditions and why was it abolished? 3. Who is Mr. Hanihara, and what has he said regarding the abolition of extraterritoriality in China? 4. What is the significance of the clause quoted at top of p. 498? 5. What is the latest news on this subject? 6. What do you think of the inferred logic of this sentence: "In some of the recently established states in Europe, the prison and police systems are much inferior to those in China—"?

Topic 3: Ineligibility of Hindus for American Citizenship

References: Pp. 497

Questions: 1. When was the decision here referred to handed down? By what court? What are the powers of this Court? 2. What decisions of a somewhat similar nature have recently been handed down by the same Court? 3. What is therule of the Court on this subject? 4. Can you give any reason for arguing that Hindus belong to the white race?

Topic 4: Natural History Expedition to Mongolia

References: P. 498

Questions: 1. Who is in charge of this expedition, where is the expedition, and what is its object? 2. By whom was the expedition sent? 3. Name one thing that has been proved by this expedition. 4. What is a mammal? a dinosaur? 5. Of what importance has the Gobi region been proved by this expedition?

Topic 5: An Appeal to China's Officialdom

References: Pp. 505-p, 508

Questions: 1. What is the purpose of the writer of this article? 2. Do you think it will have any effect on the officials of the present day? Why? 3. What is the thesis maintained in this article? 4. What is said as to the position of Chinese in foreign countries? 5. How does it differ from that of Japanese generally?,6. Account for this.

2. Domestic Affairs

Topic 1: China's Chaos since the Revolution

References: Pp. 501-505

Questions: 1. What are "the three great movements which have recently been launched by the Chinese General Commerce Chamber at Shanghai"? 2. 5. Which of these is here discussed? Why? What is a mutiny? 4. What proportion of national expenditures is laid out for the military? 5. Who are responsible for the mutinies? 6. How many cases are cited since the Revolution? How many were there last year? 7. Which province had none? Which had the largest number? 8. Make a list of the most important reasons for these troubles. 9. Are these conditions known in foreign countries? How?

Topic 2: Loyang

References: Pp. 508-10, 528

Questions: 1. Why is it said that Honan has two capital cities at present? 2. Account for the importance of Loyang, 3. What reason is given for the removal of General Feng from Honan? 4. What does the writer think of General Chang Fu-lei? 5. What is the meaning of the last sentence in this paper?

Topic 3: Affairs in Canton, and Dr. Sun Yat-sen

References: Pp. 524,526,528, 531-2

Questions: 1. What does the *Review* hold to be the reason for the arrest of Mr. Hin Wong? Does Mr. Eugene Chen agree with this? 2. What is Dr. Sun's position re Canton now? Where is Dr. Sun? 3. What are the relations at present between Dr. Sun and Gen'l Chen? What reasons are given by Mr. E. Chen for the late unfriendliness between Dr. Sun and Gen'l Chen? 4. How did these differ from those given by the *Review*? 5. What does the printing of Mr. Chen's letter show regarding the policy of the *Review*? 6. Why is Mr. Chen well known in China? What is his present position?

3. Commerce and Finance

Topic 1: The Filipino Book-keeping Law

References: P. 530

Questions: 1. What is said to be the purpose of this law? 2. Why do the Chinese protest against it? 3. What proposals are made in the amended form of the law?

Topic 2: Industrial Progress in China—Shanghai Industrial

References: Middle Section, Pp.25-7,29-30

Questions: 1. In what ways is Shanghai fitted for development as an industrial centre? 2. How does the city rank in textile manufactures? 3. What other industries are highly developed in this city?. 4. What is the importance of the Kiangnan Dock? (Notice illustration p.30) 5. Why is corporation management difficult in Shanghai?

Topic 3: Cuban Finance

References: P. 498

Questions: 1. What steps have recently been taken by Cuba to rehabilitate its finances? 2. Why is this of interest to the Chinese? 3. What is the relation of Cuba to the United States? Where was the loan mentioned here made? For how long a period? 4. Compare the size of Cuba with that of Kiangsu province. Also the populations.

Note: For suggestions re Reparations see P. 505; for account of a great cotton mill in the interior of China see p. 31; for a brief account of the growth of silk manufacture in the U. S. see p. 518.

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24-039

In The United States Court for China

(Established by Act of Congress of June 30, 1906.)

JUDGE, Charles S. Lobingier.
U.S. ATTORNEY, Leonard G. Husar.
U. S. COMMISSIONER, Nelson E. Lurton.
CLERK, William A. Chapman.
OFFICE HOURS 10-12; 2-4.
U. S. MARSHAL, DISBURSING OFFICER, } Thurston R. Porter.
PRISON PHYSICIAN, DR. T. B. Dunn.
DEPUTY MARSHAL, Wm. Van Buskirk.

TIENTSIN:

SPECIAL DEPUTY MARSHAL, Harry V. Fuller.

All Notices, Announcements, Judgments, Orders and other Proceedings appearing in this department of THE WEEKLY REVIEW may be accepted as authentic.

MOTION DAY.

All contested motions and demurrers will hereafter be heard on Mondays, beginning at 3 P. M.; provided notice thereof with proof of service on the adverse party or his attorney shall have been filed in the clerk's office by 1 P. M. of the preceding Saturday.

ADMISSION TO THE BAR.

Hereafter, applicants for admission to the bar of this court, whether previously admitted elsewhere or not, w ll be examined on the following:

1. Extraterritor ality, 25 Corpus Juris, 299—331.
2. Extraterritorial Cases.
3. Extraterritorial Remedial Code.
4. U. S. Rev. Stats., secs. 4083—4131 (Act of Congress of June 22, 1860, 12 U. S. Stats. at Large, Ch. 179).
5. China Court Regulations.
6. Act of Congress of June 30, 1906 (34 U. S. Stats. at Large, Ch. 3934).

BAR EXAMINING COMMITTEE: Nelson E Lurton. W. W. Blume. Roland S. Haskell.

Shanghai, China, January 2, 1923.

Minutes of Recent Proceedings

Hearings:

(By the Commissioner)

Feb. 24, 1923, Cause No. 2084 U. S. v. H. M. Saydah, testimony taken of Bagga Singh, Yung Wo Ding and H. M. Saydah.

" 24, " " " 2085 U. S. v. J. McNider; testimony taken of Jewan Singh, Jamit Singh, L. Fisher, J. S. Duncan and J. McNider.

" 24, " " " 2086 U. S. v. W. A. Adams: plea of guilty

Judgments and Orders:

Feb. 21, 1923, Cause No. 1792 P. R. Moore v. Far Eastern Trading Co.,: Appeal dismissed.

ON DEMURRER TO AMENDED COMPLAINT

Filed February 9, 1923.

LOBINGIER, J.:

On October 30, 1922, plaintiff filed another pleading entitled "a supplemental—(really an amended)—complaint" in which the same defendants are joined exactly as in the former complaint. On November 6, defendants, by their counsel, filed a demurrer to said last complaint for "misjoinder of parties defendant." Plaintiff was again heard at her own convenience in opposition to the demurrer, but no reason was advanced for a change of the ruling already made.

We need not stop to consider, therefore, whether plaintiff has strengthened her averment as regards the defendant Woods by alleging that he "charged her with a chronic, incurable mental disease—paranoia." It suffices to say that plaintiff, in spite of the ruling in the previous order, has repeated the error which there caused her former complaint to be defective.

For the reasons recited in the previous order the demurrer to the supplemental—amended—complaint is

SUSTAINED.

MARY G. RABENOW, PLAINTIFF vs. PAULINE A GRIMES AND ANDREW H. WOODS, DEFENDANTS.

(Cause No. 1401; decided October 4, 1922.)

SYLLABUS.

(By the Court.)

1. **Slander:** JOINDER: A complaint purporting to charge slander cannot join different defendants not alleged to be acting in concert.
2. ID.: TO CONSTITUTE slander the words complained of must be "base and defamatory" and must tend to injure plaintiff in some substantial respect.
3. ID.: ID.: A charge that defendant "influenced" others against plaintiff is not a sufficient averment of slander.

Richard T. Evans, Esquire, for the demurrants; Plaintiff *pro se*.

LOBINGIER, J.:

The complaint in this cause read as follows:

"The Plaintiff complains of the Defendants and for cause of action alleges:

1. In August 1920 in Peitaiho at Mrs. Martin's (President of the American School Joonju near Peking) the Defendant Mrs. Grimes spoke maliciously in public of and concerning the plaintiff saying the plaintiff is immoral and a political refugee, what to the plaintiff means unfit to educate children.

2. In Dec. 28th or 29th 1920 the Defendant Dr. A. H. Woods said to Mr. Lutz (the manager of the Wagon-Lits Hotel in Peking) that plaintiff is ill and had to stay with the Defendant Dr. Woods. Defendant said it in order to hide the real situation of the Plaintiff.

3. Consequently in the first case plaintiff lost the offered situation in the Joonju School. In the second case plaintiff has been unable to find employment in Peking in spite of the evident untruth of these rumours.

The circumstances of the matter were as follows:

In August 1920 in Peitaiho called to see me Miss Bird (Principal of the American School Joonju near Peking) offering me the position as music teacher in her school. Miss Bird accepted my terms and promised to inform me in a week's time saying she had to send our arrangement for confirmation. But she never gave me an answer and left Peitaiho. Before leaving Peitaiho I went for explanation to Mrs. Martin (President of the school) which knew about our arrangement. From Mrs. Martin I learnt that Mrs. Grimes has been trying to influence people against me at the members meeting. The meeting was held at Mrs.

(By the Commissioner)

Feb.	21,	1923,	Cause	No.	2084	U. S. v. H. M. Saydah: dismissed.
,,	21,	,,	,,	,,	2085	U. S. v. J. McNider. dismissed.
,,	21,	,,	,,	,,	2086	U. S. v. W. A. Adams; assessed costs and warned.

Miscellaneous Filings:

Feb.	21,	1923,	Cause	No.	1856	Yu Fong Steamship Co. v. Wm. Katz & Co.: order issuing commission to take testimony of J. C. van Rossen.
,,	21,	,,	,,	,,	2083	In re Estate of Adeline Hoffman deceased: bond and oath of administrator.
,,	21,	,,	,,	,,	1032	L. van der Stegen doing business under the firm name and style of The Belgian Trading. Co. v. Neuss, Husslein & Co.: exception to order overruling demurrer
,,	21,	,,	,,	,,	1678	Hung Tai Hong, v. Asia Banking Corporation and Gaston, Williams & Wigmore: exception to order overruling demurrer.
,,	21,	,,	,,	,,	1987	In re last will and testament of George A. Heyburn, deceased, affidavit of publication.
,,	21,	,,	,,	,,	2007	In re estate of Mildred Cabell Watkins, deceased, affidavit of Publication.
,,	22,	,,	,,	,,	2084	U. S. v. H. M. Saydah: complaint.
,,	22,	,,	,,	,,	2085	U. S. v. J. McNider: complaint.
,,	22,	,,	,,	,,	2086	U. S. v. W. A. Adams: complaint.
,,	23,	,,	,,	,,	2043	Shanghai Municipal Council v. S. B. Fair: notice of motion to set for hearing.
,,	23,	,,	,,	,,	1945	Chemische Fabrik Griesheim Elektron v. International Banking Corporation exception to order permitting Bradley & Co., to intervene.
,,	23,	,,	,,	,,	1678	Hung Tai Hong v. Asia Banking Corporation and Gaston, Williams & Wigmore: answer by second defendant.
,,	23,	,,	,,	,,	1678	Hung Tai Hong v. Asia Banking Corporation and Gaston, Williams & Wigmore: exception to order overruling demurrer.
,,	23,	,,	,,	,,	1678	Hung Tai Hong v. Asia Banking Corporation and Gaston, Williams & Wigmore: answer of first defendant
,,	23,	,,	,,	,,	2087	M. J. Pocha & Co. v. L. F. Kearney: petition, summons issued.
,,	23,	,,	,,	,,	1945	Chemische Fabrik Griesheim Elektron v. International Banking Corporation: intervener's petition
,,	23,	,,	,,	,,	2083	In re Estate of Adeline Hoffman, deceased, Letters of Administration.
,,	23,	,,	,,	,,	1686	In re receivership, Stewart, Crane & Co.: order for removal of concrete mixer and hoist.
,,	23,	,,	,,	,,	2053	In re assignment of Cosmos Commercial Corporation: notice of claim.
,,	23,	,,	,,	,,	2088	Chan Chang Shun v. C. Berthel & Co., Inc.: complaint, summons issued.
,,	23,	,,	,,	,,	2087	M J. Pocha v. L. F. Kearney, marshal's return.

Martin's. Mrs. K. M. Lowry (Tientsin 22 Elgin Terrace) informed me about the same (enclosed is the copy of her letter) and her verbal statement was: 'Mrs. Grimes spoke in public against you.' Mrs. Lowry gave me an introducing letter to Colonel Drysdale (Milit. Agent Peking American Legation) and said: 'But I wrote them that you are neither *immoral* nor a *political refugee*. In spite of her letter I have been unable to find employment in Peking, not to mention the position in Mrs. Peck's house (American Legation) as I did not get any salary there. Late in December 1920 Dr. A. H. Woods in Peking informed me that Mr. Crane the American Minister would do all he could to help me. Dr. Woods offered me to stay with his family in return for French conversation with his children. He promised also to help me in finding a position. But as I had no money to pay the hotel bill. Dr. Woods said: 'Don't worry about it, the bill will be sent to me and paid, I arranged about all with the manager.' Mr. Lutz the Manager when asked said to me: 'Dr. Woods said you are ill and are going to stay with Dr. Woods.' As to the payment in the hotel Mr. Lutz was confused saying he did not quite understand Dr. Woods, and asked me to endorse the bill. (Afterwards Dr. Woods refused to receive my bill and the Manager asked me for the money.) About Jan. 4th 1921 Mrs. Corns (Union Medical Hospital) wanting to have French lessons for her daughter approved my idea to arrange a class but before giving me a decisive answer she said she had to speak about it to Dr. Woods; and she never gave me an answer. Having failed once more I asked Dr. Woods to recommend me for a situation, but Dr. Woods said it would be very hard to find employment for me and gave me the advice not to fight against slander, as it is like fighting against frogs. I left his house, and informed Mr. Crane that I would accept the offered help from Mr. Crane personally, and not through Dr. Woods. The answer was given through Capt. Brodie secretary to the Minister: 'Mr. Crane wants you to stay with Dr. Woods, you are there for medical treatment.' I went for examination to Dr. Gray and Dr. di Giura (see copies of the certificates.) Advertising in the paper for employment, addressing people personally all was useless, though so many a family needed a governess or a teacher. In March 1921 I addressed the London Mission, and two ladies there Miss Wood and her friend Miss Bowden-Smith were anxious to help me. Miss Bowden-Smith told me that Lady Alston (British Legation) wanted a governess for her daughter. But as soon as Dr. Woods knew about it he influenced them against me, so that Miss Bowden-Smith said to me, that I cannot expect help unless I go back to Mr. Crane, Dr. Woods, and Mr. Peck.

Wherefore: Plaintiff prays for judgment against the Defendants in the sum of Mex. $5000 and for costs of the action."

To the foregoing the defendant Woods filed an informal pleading in the nature of a demurrer for which a formal demurrer for failure "to state facts sufficient to constitute a cause of action" was later substituted. The other defendant after answering and denying in the main the averments of the complaint, asked leave to substitute a demurrer for misjoinder of parties, which is now before us. Plaintiff was heard in her own behalf and was also tendered the services of a member of the Tientsin bar which were declined.

It will be observed that there is no charge of conspiracy or cooperation between the two defendants, and it is well settled that parties uttering slander (for such it is apparently the purpose of plaintiff to charge) cannot be joined unless the slanderous words are uttered in concert,[1] which is rarely the case and certainly is not suggested in this complaint. The objection of misjoinder must therefore be sustained.

1. Shaw v. Rea and Gallagher, II Extrater. 100; Cyc. XXV, 434.

(To be continued next week)

Shanghai-Nanking Railway Abridged Time Table.

Shanghai North to Nanking—Up (Main Line) **Nanking to Shanghai North—Down**

STATIONS	Local	Fast R.	Local	3rd & 4th Local	Express R.	3rd & 4th	Local	Fast R.	Local	Fast Local	Local	Local	Night Express R. S.
Shanghai North d.		7.00	7.15	7.35	9.30	9.50	12.10	12.30	15.25	17.15	17.45	19.35	23.30
Nansiang ... ... d.		7.28	7.45	8.03	—	10.31	12.41	12.58	16.01	17.47	18.15	20.05	0.02
Soochow ... ... d.		8.59		9.41	11.14	12.53		14.43	18.24	19.39			1.39
Wusih ... ... d.	7.00	9.59		10.44	12.02	14.12		15.38	19.34	20.36			2.38
Changchow ... d.	8.14	10.56		11.41	12.49	15.28		16.38		21.38			3.42
Tanyang ... ... d.	9.30	11.52			13.38	16.28		17.38					—
Chinkiang ... d.	10.31	12.49			14.22	17.34		18.33					5.34
Nanking ... ... a.	12.30	14.21			15.43	19.35		20.02					7.20
Pukow ... ... d.					17.05								9.30
Hsuchowfu ... d.					1.16	T.P.L.						T.P.L.	19.40
Tsinanfu ... ... d.					9.38	II day						II day	6.00
Tientsin Central a.					18.05								15.25
Do. d.					18.15								16.16
Tientsin East... a.					18.25	P.M.L.						P.M.L.	—
Do. d					18.55								—
Peking ... ... a.					22.06								19.15

STATIONS	Local	Fast Local	Local	Local	Fast R.	3rd & 4th Local	3rd & 4th	Fast R.	Local	Local	Express R.	Local	Night Express R. S.
Peking ... ... d.											10.15		5.50
Tientsin East ... a.											13.35	P.M.L.	—
Do. d.										P.M.L.	14.00		—
Tientsin Central a.											14.10		9.14
Do. d.											14.20		10.00
Tsinanfu ... ... d.										T.P.L.	22.21	T.P.L.	19.43
Hsuchowfu ... d.										II day	6.31	II day	5.28
Pukow ... ... a.											14.30		16.15
Nanking ... ... d.					7.40		8.10	11.05			15.50	16.15	23.00
Chinkiang ... d.					9.20		10.25	12.54			17.29	18.27	0.52
Tanyang ... ... d.					9.57		11.21	13.36			18.03	19.26	—
Changchow ... d.			7.10		10.59	12.00	12.44	14.32			18.57	20.46	2.41
Wusih ... ... d.		7.20	8.22		11.59	13.02	14.07	15.33			19.43	21.52	3.53
Soochow ... ... d.		8.21	9.39		13.54	14.02	15.25	16.31			20.32		4.58
Nansiang ... ... d.	8.15	10.33	11.34	13.00	14.27	16.03	17.45	18.18	18.40	20.15	—		6.26
Shanghai North a	8.42	11.00	12.05	13.30	14.55	16.30	18.20	18.45	19 13	21.05	22.00		6.50

Woosung Forts to Shanghai North—Up (Branch Line) **Shanghai North to Woosung Forts—Down**

														*													*
Woosung Forts d.	6.45	8.15	9.40	11.05	12.30	13.55	15.20	16.45	18.10	19.35	21.00	22.25	23.50	1.15	Shanghai North d.	6.00	7.30	9.00	10.25	11.50	13.15	14.40	16.05	17.30	18.55	20.20	21.45	23.10	0.35
Kiangwan ... d.	7 10	8.40	10.05	11.31	12.55	14.20	15.46	17.10	18.35	20.00	21.25	22.50	0.15	1.40	Tientungan ... d.	6.05	7.35	9.05	10.30	11.55	13.20	14.45	16.10	17.35	19.00	20.25	21.50	23.15	0.40
Tientungan ... d.	7.16	8.46	10.11	11.37	13.01	14.26	15.52	17.16	18.41	20.06	21.31	22.56	0.21	1.46	Kiangwan ... d.	6.12	7.42	9.12	10.37	12.02	13.27	14.52	16.17	17.42	19.07	20.32	21.57	23.22	0.47
Shanghai North a.	7.20	8.50	10.15	11.41	13.05	14.30	15.56	17.20	18.45	20.10	21.35	23.00	0.25	1.50	Woosung Forts a.	6.35	8.06	9.35	11.00	12.25	13.50	15.15	16.40	18.05	19.30	20.55	22.20	23.45	1 10

R. Restaurant Cars. S. Sleeping Cars

* These additional trains run each Saturday and Sunday

Shanghai-Hangchow-Ningpo Railway Abridged Time Table.

Shanghai North to Zahkou—Down (Main Line) **Zahkou to Shanghai North—Up**

STATIONS	Local	Express R.	2nd 3rd & 4th	Fast R.	Local	Local	Night Express R.
Shanghai North dep.	..	8.00	9.00	13.20	15.45	..	19.15
Jessfield dep.	..	8.15	9.16	13.36	16.05	..	19.30
Siccawei dep.	..	8.21	9.23	13.43	16.13	..	19.36
L'hwa Junction dep.	..	8.35	9.40	14.00	16.30	..	19.50
Shanghai South ..... dep.	..	*8.05*	*9.05*	*13.25*	*15.45*	*18.00*	*19.20*
Lunghwa Junction ..... arr.	..	*8.38*	*9.38*	*13.43*	*16.05*	*18.18*	*19.38*
Sungkiang dep.	..	9.14	10.50	14.46	17.42	..	20.29
Kashai dep.	..	10.01	11.57	15.43	18.47	..	21.16
Kashing dep.	7.25	10.31	12.40	16.16	——	..	21.46
Yehsah dep.	8 19	11.02	13.32	16.56	----	..	22.17
Changan dep.	9.25	11.36	14.23	17.35	----	..	22.51
Hangchow dep.	11.00	12.30	16.00	18.50	----	..	23.45
Zahkou arr.	11.25	12.45	16.30	19.10	----	..	24.00

STATIONS	Local	Local	Express R.	Local	2nd 3rd & 4th	Fast R.	Local	Night Express R.
Zahkou ..... d.	..	..	7.15	..	8.40	13.20	15.35	18,00
Hangchow ..... d.	..	..	7.40	..	9.15	13.50	16.10	18.24
Changan ..... d.	..	..	8.29	..	10.45	15.00	17.45	19.1-
Yehsah ..... d.	..	..	9.00	..	11.53	15.37	18.45	19.45
Kashing ..... d.	..	7.30	9.39	..	12.50	16.24	..	20.24
Kashai ..... d.	..	8.02	10.02	..	13.26	16.52	..	20.46
Sungkiang ..... d.	..	9.15	10.52	..	14.42	17.49	..	21.42
Lunghwa Junction.... d.	*8.37*	*10.37*	*11.37*	*13.57*	*16.07*	*18.48*	..	*22.28*
Shanghai South ..... a.	*8.55*	*10.55*	*11.55*	*14.15*	*16 35*	*19.00*	..	*22.46*
L'hwa Junction .... d.	..	10.34	11.32	..	15.50	18.40	..	22.22
Siccawei ..... d.	..	10.43	11.40	..	15.59	18.49	..	22.30
Jessfield ..... d.	..	10.51	11.46	..	16.06	18.56	..	22.36
Shanghai North.... a.	..	11.05	12.00	..	16.20	19.10	..	22.50

Konzenchiao to Zahkou (Kiangshee Branch Line) **Zahkou to Konzenchiao**

Konsenchiao .... dep.	7.05	9.10	11.35	13.45	16.05	17.30	22.55	Zahkou ..... dep.	8.10	10.10	..	15.05	..	18.30	..
Kenshangmun ... dep.	7.20	9.25	11.50	14.06	16.20	17.45	23.10	Hangchow ..... dep.	8.30	10.30	12.25	15.25	16.45	18.51	23.50
Hangchow..... dep.	7.37	9.37	..	14.17	..	17.57	..	Kenshangmun , dep.	8.42	10.47	12.37	15.37	16.57	19.02	0.02
Zahkou ..... arr.	7.55	9.55	..	14.35	..	18.15	..	Konsenchiao .. arr.	8.55	11.00	12.50	15.50	17.10	19.51	0.15

R. Restaurant Car.